

FEDERAL REGISTER



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Washington, Tuesday, October 26, 1943

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration Distribution Orders

[FDO 83-2]

PART 1405—FRUITS AND VEGETABLES

RELEASE AND INSPECTION OF APPLES

Pursuant to the authority vested in me by Food Distribution Order No. 83 (8 F.R. 13379), issued by the War Food Administrator on September 30, 1943, and to effectuate the purposes thereof, it is hereby ordered, as follows:

§1405.38 Authorization to sell or deliver restricted apples and inspection requirements—(a) Definitions. Unless otherwise distinctly expressed or manifestly incompatible with the intent hereof, each term defined in Food Distribution Order No. 83 shall, when used herein, have the same meaning as set forth in said order.

(b) Authorization to sell or deliver restricted apples. Any person is hereby authorized to sell or deliver to persons other than authorized processors restricted apples which were packed in closed containers prior to October 4, 1943. Any person is authorized to sell or deliver to persons other than authorized processors restricted apples which are restricted apples only because they are smaller than $2\frac{1}{4}$ inches in diameter: *Provided, however,* That this release shall not include restricted apples of the Albemarle Pippin, Newtown, Winesap, and York Imperial varieties of apples. Restricted apples of the Albemarle Pippin, Newtown, Winesap, or York Imperial variety, which are restricted apples only because they are smaller than $2\frac{1}{4}$ inches in diameter, may be sold or delivered to the Food Distribution Administration, War Food Administration, including but not being limited to the Federal Surplus Commodities Corporation.

(c) Inspection. No person shall ship within or from any of the following specified counties restricted apples or fresh-use apples unless such apples have been

inspected by a representative of the Federal-State inspection service: The counties of Yakima, Benton, Kittitas, Walla Walla, Chelan, Okanogan, Columbia, Grant, Douglas, Stevens, Spokane, Skamania, Klickitat or Asotin in the State of Washington; or the counties of Hood River, Wasco, Umatilla, or Union in the State of Oregon.

(d) Effective date. This order shall become effective at 12:01 a. m., e. w. t., October 26, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; FDO 83, 8 F.R. 13379)

Issued this 23d day of October 1943.

ROY F. HENDRICKSON,
Director of Food Distribution,

[F. R. Doc. 43-17202; Filed, October 23, 1943;
11:28 a. m.]

[FDO 87]

PART 1460—FATS AND OILS

RESTRICTIONS ON INVENTORIES OF FATTY ACIDS

The fulfillment of the requirements of defense of the United States will result in a shortage in the supply of fatty acids for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1460.31 Restrictions on inventories of fatty acids—(a) Definitions. (1) "Fatty acids" means all grades and qualities of fatty acids, whether distilled or undistilled, produced from animal, vegetable, fish, or marine animal fats and oils, excluding crude and refined tall oil, raw or acidulated foots produced in the refining of animal, vegetable, fish, or marine animal fats and oils, and fatty acids which have been processed to the extent that they no longer exist as such by reason of chemical changes or compounding with non-fatty materials.

(2) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

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(3) "User" means any person who engages in the manufacturing of any product by any process which requires the use of fatty acids, without regard to whether or not fatty acids are incorporated in the product.

(4) "Inventory" means the total quantity of fatty acids which were not produced by a user but which are owned by such user at any particular time.

(5) "Base period" means the period beginning on January 1, 1943 and ending on June 30, 1943.

(6) "Maximum unit" means, with respect to any user, the largest, single, segregate, commercial quantity of fatty acids which such user accepted delivery of, from other persons, during the base period. For example, such a unit might be one, but not more than one, of the following: a tank car, or fraction thereof; a tank truck, or fraction thereof; a carload, or fraction thereof, of packages; or a truckload, or fraction thereof, of packages.

(7) "Director" means the Director of Food Distribution, War Food Administration.

(b) *Inventory limitations.* Except as provided for in paragraph (c) hereof, no user shall accept delivery of any fatty acids from any other person, if such acceptance of delivery will cause his inventory to exceed a quantity equal to one-third of the aggregate amount of fatty acids used by him in the base period, other than fatty acids produced by such user.

(c) *Exceptions.* Notwithstanding the provisions of paragraph (b) hereof:

(1) Any user may accept delivery of his maximum unit of fatty acids, if at the time of such acceptance of delivery his inventory does not exceed a quantity equal to one-sixth of the aggregate amount of fatty acids used by him in the base period, other than fatty acids produced by such user.

(2) Any user who accepts delivery of not more than 500 pounds of fatty acids from other persons in any calendar month, and whose inventory does not exceed 3000 pounds at any time during said month, shall not be subject to the restrictions of paragraph (b) hereof, during said month.

(d) *Restrictions on delivery.* No user shall accept delivery of more than 50 pounds of fatty acids in any calendar month unless and until he shall have properly filled out, executed, and delivered to the person making delivery of such fatty acids a certificate in the following form:

The undersigned hereby certifies to the War Food Administration and to _____ (name of supplier) that he is familiar with the provisions of Food Distribution Order No. 87, and all amendments, if any, thereto, and that the acceptance of delivery by him or _____ pounds of fatty acids, from said supplier, in connection with which this certificate is furnished, will not be in violation of the provisions of said Food Distribution Order No. 87, or any amendment thereto.

(Name of deliveree)

By _____

(Authorized official)

(Date)

No person shall deliver more than 50 pounds of fatty acids in any calendar month to any user without receiving such a certificate. The person so receiving such a certificate shall retain it as a part of his records for a period of not less than two years after the date of the delivery of the fatty acids covered by the certificate.

(e) *Records and reports.* (1) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in fatty acids.

(2) The Director shall be entitled to obtain such information from, and require such reports and keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(3) The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(f) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of fatty acids of any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(g) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him, because he did not use fatty acids in the base period, or used in such period a substantially lower amount of fatty acids than his current requirements, or for any other reason, may file a petition for relief in writing with the Director, addressed as follows: Director of Food Distribution, War Food Administration, Washington

25, D. C., Ref. FDO 87. Such petition shall set forth all pertinent facts and the nature of the relief sought. The Administrator of this order shall then act upon the petition. In the event that the petitioner is dissatisfied with the action taken by the Administrator of this order, he may request a review of such action by the Director whose decision with respect to the relief sought shall be final.

(h) *Violations.* The War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using fatty acids, or any other material subject to priority or allocation control by the War Food Administrator, and may recommend that any such person be prohibited from receiving, making any deliveries of, or using materials subject to the priority or allocation control of other governmental agencies. In addition, any person who wilfully violates any provision of this order is guilty of a crime any may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(i) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director, and may be redelegated by him to any employee of the United States Department of Agriculture.

(j) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, or otherwise provided herein, be addressed to the Director of Food Distribution, War Food Administration, Washington 25, D. C., Ref. FDO 87.

(k) *Territorial extent.* This order shall apply only to the forty-eight States of the United States, and the District of Columbia.

(l) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., November 1, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 23d day of October 1943.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 43-17203; Filed, October 23, 1943;
11:28 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT Chapter VII—Personnel

PART 79b—WOMEN'S ARMY CORPS ENLISTMENTS AND REENLISTMENTS

In § 79b.17 (c) (3) subdivision (ii) is amended and subdivision (iii) is added as follows:

§ 79b.17 *Enlistment in the Women's Army Corps, Army of the United States.*

(c) *Eligibility requirements.* * * *

(3) *Dependents.* * * *

(ii) Any person who is responsible for the financial support of any other person not entitled to the benefits of the Servicemen's Dependents Allowance Act of 1943, unless such support can be met entirely by means other than derived from the applicant's pay as a member of the WAC is not eligible for enlistment.

(iii) Any woman who has become legally divested of the care, custody, control, or support of a child or children under the age of 14 years within 18 months of her application for enlistment is not eligible for enlistment. (Pub. Law 110, 78th Cong., 1 July 1943) [A. S. F. Memorandum No. S635-6-43, 30 July 1943, as amended by letter SPX 341 (6 Oct 43) (7 Oct 43) PR-W-PP-I-SPWA-MB-A1]

Section 79b.19 is added as follows:

§ 79b.19 *Women's Army Corps; appointment in Army of the United States of former WAAC and WAC officers.* (a) Any former officer of the Women's Army Auxiliary Corps or Women's Army Corps whose services were honorably terminated on account of physical disability who applies within 6 months from her discharge for appointment in the Army of the United States may be so appointed in the grade equivalent to that which she last held in the Women's Army Auxiliary Corps or the grade she last held in the Women's Army Corps if the disability is no longer disqualifying, she is professionally qualified, and there is an appropriate vacancy to which she may be assigned.

(b) Application should be addressed to The Adjutant General, Attention WAC Section, Appointment and Induction Branch, Washington 25, D. C.

(c) Former officers of the Women's Army Auxiliary Corps who requested discharge and were honorably discharged for reasons other than physical disability may be commissioned in the Army of the United States by enlistment, subsequent selection for Officer Candidate School, and successful completion of the course. (Pub. Law 110, 78th Congress, 1 July 1943) [Memorandum No. W635-23-43, 20 October 1943]

[SEAL]

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-17249; Filed, October 25, 1943;
9:49 a. m.]

Chapter IX—Transport

PART 94—PRIORITIES FOR AIR TRANSPORTATION

AIR TRANSPORTATION ON CIVIL AIR CARRIERS

Sections 94.1 to 94.4 (8 F.R. 4907) are rescinded and the following §§ 94.1 to 94.12 are substituted therefor.

These regulations are also contained in Chapter II, Priorities and Traffic Man-

ual, Air Transport Command, 15 October 1943.

Sec.

- 94.1 Authority.
- 94.2 Scope.
- 94.3 Basic policies.
- 94.4 Classifications.
- 94.5 By whom priorities may be granted.
- 94.6 Applications for priority.
- 94.7 Limitations and restrictions.
- 94.8 Loading and displacing.
- 94.9 Letter of authority.
- 94.10 Military orders.
- 94.11 Members of Congress.
- 94.12 Identification of priority.

AUTHORITY: §§ 94.1 to 94.12, inclusive, issued under sec. 1, 39 Stat. 645; 10 U.S.C. 1361.

§ 94.1 *Authority.* Pursuant to provisions of section III, Circular 211, War Department, 1942, as amended by section IV, Circular 343,¹ War Department, 1942, the Commanding General, Army Air Forces, is responsible for establishing priorities for air transportation of all personnel and matériel to be transported by air. Further, pursuant to provisions of section II, Circular 385,¹ War Department, 1942, as amended by section IV, Circular 20,¹ War Department, 1943, The Air Transport Command, Army Air Forces, is the agency through which the Commanding General, Army Air Forces, fulfills his responsibilities with respect to priorities for air transportation. Assistant Chief of Staff, Priorities and Traffic, Air Transport Command, Army Air Forces, Annex No. 1, Washington, D. C., or other agencies to whom he may delegate such authority, will receive and evaluate all requests for priority and assign classifications and identification numbers thereto; and issue instructions with respect to the methods of securing the use of air priorities. This part supersedes Directive No. 5, 20 January 1943; "Priorities for Air Transportation" (§§ 94.1-94.4, 8 F.R. 4907) and amendments thereto, and contains a statement of general policies and regulations affecting air transportation priorities. Supplementary instructions and interpretations will be issued by the Assistant Chief of Staff, Priorities and Traffic, Air Transport Command, as required.

§ 94.2 *Scope.* This part applies to air transport service on United States civil air carriers operating within the continental limits of the United States and from points in the United States to points in Canada. This jurisdiction also extends to foreign commercial services of United States civil air carriers except on all services operated by American Export Airlines and except on Pan American Airways services on the Pacific, Alaskan and Atlantic routes which are all under the priority control of the United States Navy. In addition, this jurisdiction applies to the commercial services of foreign companies operating into the United States under Certificate

of Convenience and Necessity issued by the Civil Aeronautics Board which subject foreign commercial services operating into the United States to the same wartime traffic controls as are applied to United States civil air carriers. At present, the operations of foreign commercial services to which priorities will be applied as set forth herein are the operations terminating or originating at Miami, Florida, of the K.L.M. Royal Dutch Airlines; British West Indian Airways, TACA, S. A.; Expresso Aero Inter-American, S. A.; and Compania Naciona Cubana de Aviacion.

§ 94.3 *Basic policies.* Priority will be granted only when the movement of traffic is necessary to the prosecution of the war, and when the mission of the passenger or the need for the cargo is of such urgency that transportation by air is necessary. Priorities for air transportation are granted for the purpose of accomplishing, within established time limits, a mission essential to the war effort. A priority will not be granted for a specific flight or on a specific air carrier, unless essential to the accomplishment of the mission.

(a) *Carriers' rules.* Traffic for which priority has been established will be subject to the rules and regulations of the air carrier concerned.

§ 94.4 *Classifications.* Priorities will be classified for the purpose of indicating precedence for movement, in accordance with relative importance to the prosecution of the war. Classifications 1, 2, 3, and 4 are established for services described in this part. The lower numbered priority classification will have precedence. (Thus, Class 1 will have precedence over Class 2, etc.)

(a) *General description of priority classifications 1, 2, 3, and 4.* "Class 1" will include only passengers or cargo, the movement of which is required by an emergency so acute that precedence should be given over all other traffic and which should under no circumstances be delayed en route for other passengers or cargo. This classification will only be granted when the urgency is such that delay in transportation will seriously and directly impair the war effort.

"Class 2" will include only passengers or cargo, the transportation of which by air is absolutely necessary to the accomplishment of a mission essential to the prosecution of the war and which is of an extremely urgent nature.

"Class 3" will include only passengers or cargo, the transportation of which by air is vital to the war effort and of an urgent nature.

"Class 4" will include passengers or cargo, the transportation of which is of sufficient importance to the war effort to justify transportation by air but not as urgent as those in classifications 1, 2 and 3.

(b) *Restricted use of Class 1.* To assure the transportation of extremely

urgent traffic, the highest classification (Class 1) will be assigned only to those passengers and shipments which must not be delayed by the accumulation of other passengers or cargo. The use of this classification will, therefore, be highly restricted.

§ 94.5 *By whom priorities may be granted.* Subject to the limitations set forth herein priorities may be granted as follows:

(a) *General.* The President; the Secretary of War; the Secretary of the Navy; Headquarters Control Office, Priorities and Traffic, Air Transport Command; Regional Air Priorities Control Offices; and Priorities and Traffic Officers at Channel Control Stations of the Air Transport Command, may grant any class of priority for any traffic qualified under the regulations in this part.

(b) *Authorized by "Letter of Authority".* Authority may be delegated by "Letter of Authority" from the Assistant Chief of Staff, Priorities and Traffic, Headquarters, Air Transport Command, to key individuals in agencies of the Government, certain officers of the Armed Services and certain Military Attachés at American Embassies or Legations.

(1) Such "Letters of Authority" will be issued only to those individuals whose duties require knowledge of the movement of traffic essential to the war effort and the "Letter of Authority" will specify: (i) the services on which priorities may be granted, (ii) the priority classifications which may be granted, (iii) conditions under which priorities may be granted.

(c) *Theaters and Defense Command.* The Commanding Generals of all overseas Theaters and the Commanding Generals of certain Defense Commands outside the continental limits of the United States who are located on the foreign commercial routes of United States civil air carriers, and such foreign commercial air carriers as are under priority jurisdiction of the Air Transport Command have been authorized by "Letters of Authority" to establish priorities of any class for movement of cargo or passengers from and within their Theater or Commands, and may recommend priorities for cargo and passengers to be moved into their Theaters or Commands on foreign commercial services of United States civil air carriers and such foreign commercial services as are under priority jurisdiction of the Air Transport Command. Commanding Generals of certain Defense Commands have been authorized by "Letter of Authority" to delegate the establishment of air priorities on foreign commercial services of United States civil air carriers, and such foreign commercial services as are under priority jurisdiction of the Air Transport Command, to Base or Sector Commanders when there are no Military Attachés or Priorities and Traffic Officers available. All requests for priority move-

¹ Administrative instructions of the War Department.

ment from and within the Theater or Defense Command on foreign commercial routes should be addressed, whenever possible, to the local Military Attaché or the local Priorities and Traffic Officer, Air Transport Command.

(d) *Inbound traffic.* In the case of passengers or air express moving to a point within the continental limits of the United States from a point outside thereof, Military Attachés in Central and South America and certain specifically authorized Defense Commands, may establish priorities beyond the first airport of landing within the continental United States to domestic destinations.

(e) *Military orders.* Certain military orders and certification will be honored by civil air carriers for priority in accordance with § 94.10 of this part.

(f) *Members of Congress.* Members of Congress are accorded priority in accordance with § 94.11 of this part.

§ 94.6 *Application for priority.* Persons desiring air transportation priority for passengers or cargo should make application to the governmental department or agency in the interests of which the priority is desired. Such governmental department or agency may grant the priority if it is authorized by "Letter of Authority" to grant priorities of the class and on the services requested. If not so authorized, but of the opinion that the priority should be granted, or in case of emergency, the government department or agency will direct the request to Headquarters, Priorities and Traffic, Air Transport Command, or to one of its field offices.

(a) *Information to be furnished with requests.* In making requests for priorities the following information will be furnished:

(1) *For passengers.* (i) Passenger's name and title, (ii) passenger's business or affiliation and contact, (iii) travel "from" and "to", (iv) earliest possible departure time, (v) latest arrival necessary for accomplishment of mission, (vi) information to justify need for priority in accordance with this regulation, (vii) governmental department or agency in the interest of which the travel is to be performed.

(2) *For cargo (Air Express).* (i) Governmental department or agency in the interest of which shipment is to be made, (ii) shipper and consignee, (iii) shipment "from" and "to", (iv) individual through whom shipment may be located, (v) number of pieces, weight, and dimensions, (vi) whether shipment can be divided, (vii) time shipment will be ready, (viii) information to justify need for priority in accordance with this regulation.

(b) *Who may request.* Requests for air express priorities may be initiated by either shipper or consignee, depending upon which one can furnish certification as to the urgency and the need to the war effort.

§ 94.7 *Limitations and restrictions.* Priority for air trips requiring less than two hours and when destination can be reached by surface transportation within six hours of desired departure time from originating point may only be granted by Headquarters, Priorities and Traffic, Air Transport Command; a Regional Air Priorities Control Office; or a Station Priorities and Traffic Officer. Such priorities will be granted only in cases of extreme emergency.

(a) *Holding flights.* Civil air carriers are not required to hold beyond scheduled departure time for any priority traffic unless it is an extreme emergency and then only upon instructions from Priorities and Traffic, Headquarters, Air Transport Command, Washington, D. C.

(b) *Last minute reclassifications.* Last minute priority reclassifications to prevent displacement by higher priority traffic should be absolutely unnecessary because as high a priority as was justified should have been established originally and in the majority of cases the urgency of the mission will not have changed.

(c) *Time limits.* On domestic routes, a civil air carrier is not required to honor a priority when the reservation has not been made prior to one hour and a half of scheduled plane departure and on foreign routes when the reservation has not been made three hours prior to scheduled plane departure, except upon specific direction from Headquarters, Priorities and Traffic, Air Transport Command; a Regional Air Priorities Control Office; or a Station Priorities and Traffic Officer. This rule does not apply to Class 1 Priority.

(d) *Priorities for life and death emergencies.* (1) Air priority will be granted to those on a "life and death mission" only as follows:

(i) On domestic routes, military personnel who can qualify under section III, Circular 39, War Department, 1943.*

(ii) On domestic or foreign routes, a physician, nurse, or other medical specialist who, through his or her professional services, may aid in saving a life, when such person will certify to the fact that no equivalent medical skill is, in his or her absence, available to the patient and when such person certifies in writing to a Regional Air Priorities Control Office or to a Station Priorities & Traffic Officer regarding the need of his or her professional services.

(iii) On domestic or foreign routes, any person who may require emergency medical attention, which is not available locally and whose attending physician will certify in writing to a Regional Air Priorities Control Office or to a Station Priorities and Traffic Officer that to his knowledge such medical skill or

equipment as is required is not available locally. In such case, priority may be granted for only one attendant to accompany the patient en route. Such attendant will be granted the same class priority as the patient.

Example: A child has swallowed an object which is lodged in its lung, thereby placing the child's life in immediate jeopardy, and the equipment and skill necessary to remove such object is not available locally.

(2) Priority transportation shall not be granted to persons requiring medical attention who desire that a certain physician, nurse, or medical specialist render professional services simply because of their reputation or personal acquaintance with the patient. Neither shall priority transportation for similar reasons be granted the physician, nurse, or medical specialist.

(3) Priority will not be granted to friends or relatives en route to funerals or en route to a bedside for the reason that the presence of such person may be helpful to morale or contribute to recovery.

(4) Priorities established under the provisions of this section dealing with "life and death" emergencies do not include the return trip following medical treatment.

(e) *Priority for personnel of armed services on leave.* (1) On domestic routes, personnel of the Armed Services (Army, Navy, or Marine Corps—this does not include members of the Merchant Marine) may be granted priority for air transportation on the civil air carriers within the continental limits of the United States while on leave under the provisions of section III, Circular 39, 4 February 1943.*

(2) When certification is issued, such certification will be retained by members of the Armed Forces to whom it was issued, but they will be required to sign a "Certification of Necessity for Priority Air Transportation" form when purchasing tickets.

(f) *Specific flight.* The granting of an air priority does not guarantee a reservation on a specific flight.

(g) *Reservations.* Passengers or shippers are required to make their own reservations or arrangements for transportation with the civil air carriers involved. Reservations must be made as far in advance of actual departure time as possible.

(h) *Three hour rule and length of validity.* On domestic routes, after a priority has been established and space confirmed the same priority may not be honored for a subsequent flight, unless the original reservation is cancelled at least three hours prior to scheduled departure of the original flight and then must be used within twenty-four hours of original priority reservation. On foreign routes, civil air carriers will not be required to honor priorities for another flight without re-establishment of the priority when priority reservations

* War department instructions pertaining to air transportation on commercial airlines within continental United States for personnel of armed services on leave.

already confirmed are cancelled less than three hours prior to the scheduled departure of the aircraft on which such reservations were confirmed. Priorities on foreign commercial routes expire thirty (30) days after date of establishment unless specifically extended by Headquarters, Priorities and Traffic, Air Transport Command.

(i) *Group movements.* When priority is required to be established for traffic that will constitute a plane load or more, such information should be conveyed to a Regional Air Priorities Control Office; Headquarters, Priorities and Traffic, Air Transport Command; or a Station Priorities & Traffic Officer, even though the traffic is entitled to priority through provisions set forth in this part.

(j) *Pullman space not available.* Priorities for air transportation will not be granted for the sole reason that Pullman space is not available.

(k) *Non-revenue traffic.* The fact that a passenger or cargo is of a non-revenue nature does not prohibit the granting of a priority if the mission conforms with the provisions of this part.

(l) *Excess baggage.* When priority is established for a passenger, the same priority classification granted the passenger applies to normal free allowance of baggage. Priority for baggage in excess of free allowance may be established only by Headquarters, Priorities and Traffic, Air Transport Command; a Regional Air Priorities Control Office; or a Station Priorities and Traffic Officer except: (1) Holders of military orders which "direct" travel by air will be accorded Class 3 Priority for baggage in excess of the regular allowance when such orders specifically state that the holder is authorized to transport such excess baggage.

(m) *Military orders.* On foreign commercial routes, military travel orders directing travel by air will not automatically establish priority for air transportation. On foreign commercial services the Headquarters Control Office, Air Transport Command, Washington, D. C., Priorities and Traffic Officers; Military Attachés and Officers of Defense Commands to whom this authority has been delegated may establish suitable priorities for officers and enlisted men who possess official travel orders when transportation by air is required to accomplish a military mission within definite time limits. However all such priority requests must be judged in accordance with established priority policies and procedures.

(n) *Payment of transportation charges.* The granting of an air priority does not indicate that payment has been made for transportation.

§ 94.8 *Loading and displacing.* Priority passengers and cargo will be accommodated in the order of their classifications, the higher priority classification

having precedence. No exceptions to this order will be made except upon specific instructions from Headquarters, Priorities and Traffic, Air Transport Command; a Regional Air Priorities Control Office; or Priorities and Traffic Officers at Channel Control Stations.

(a) *Procedure.* Subject to above, removal of as few passengers as possible to provide the space and/or weight needed, will be accomplished as follows:

(1) Shortest haul traffic originating at city out of which the space is needed (i. e., not arriving by connecting flight) whose removal will furnish all or as much as possible of the space needed.

(2) The traffic arriving by connecting flight whose removal will furnish all or as much as possible of the space needed.

(3) The through traffic on board whose removal will furnish all or as much as possible of the space needed.

(4) Where more than one passenger of the same classification is booked to a common destination, and it is possible to ascertain the time and date of reservation, give preference to passenger who made reservation first.

(5) When passengers of equal classification are booked to other than common destinations they should be handled on an equitable basis, taking into consideration scheduled flight stops, connection, convenience and speed in reaching respective destinations by secondary flights and/or other modes of transportation.

(b) *Order of precedence.* When it is necessary to remove traffic, all non-priority traffic will be off-loaded first. Within the same classification, passengers normally will be accommodated before cargo, since cargo may sometimes be handled on more devious routing without serious delay. When cargo is obviously more urgent than passengers within the same classification, it should take precedence.

(c) *Administration of precedence.* The administration of the removal of priority passengers or cargo will be placed in the hands of the civil air carrier involved. Should disputes arise that the civil air carrier needs or desires assistance in handling, they may call upon the nearest Regional Air Priorities Control Office, or a Station Priorities and Traffic Officer. In administering the above procedure, the civil air carrier will keep in mind that it is not meant to imply that it must be followed in numerical sequence, but rather exercise good judgment, using the part or parts that fit individual cases.

§ 94.9 *Letter of authority.* As applied to domestic routes, a "Letter of Authority" to grant air priorities on U. S. civil air carrier service within the continental limits of the United States and from the United States to Canada, may be issued by the Assistant Chief of Staff, Priorities and Traffic, Air Transport

Command, to Commanding Officers of units of the Army, Navy or Marine Corps, Military or Naval plant representatives and certain officials of Government departments and agencies, whose duties require knowledge of the movement of traffic vital to the war effort. (No "Letter of Authority" is required for such Commanding Officers to grant priority on domestic routes through the medium of travel orders; however, a "Letter of Authority" will be required for such Commanding Officers to grant priority other than that which can be accommodated through the medium of travel orders.) Such authorization will be given upon receipt of an application therefor on a form prescribed by the Assistant Chief of Staff, Priorities and Traffic, Air Transport Command, duly executed and clearly demonstrating the need for such authorization.

(a) *Priority certificate.* All holders of "Letters of Authority" to grant air priorities are supplied with standard accountable forms of priority certificates by Priorities and Traffic, Headquarters, Air Transport Command. A priority certificate will be prepared for each such priority granted. The original of the certificate will be issued to the recipient to establish priority status with the civil air carrier. Detailed instructions for the issuance and handling of certificates have been issued by the Assistant Chief of Staff, Priorities and Traffic, Air Transport Command. This form of certificate only, will be accepted for priority transportation by the carrier.

(1) Holders of Air Priority accountable certificates, applying to a Regional Air Priorities Control Office for a raise in priority classification, will be referred to the holder of the "Letter of Authority" who originally issued the certificate. The latter should make any necessary requests for higher priority.

§ 94.10 *Military orders.* Commanding Officers of units of the Armed Forces who are authorized to issue travel orders (not merely transportation requests) may grant Class 3 Priority on domestic routes to military or civilian personnel under their command, but only through the medium of official travel orders specifically directing (as contrasted with merely authorizing) the use of commercial aircraft. The inclusion of authority for the use of other means of transportation in such orders, if air transportation is not available, will not nullify the establishment of priority. Such priority will be established on authority of such orders, for the holder thereof, on presentation to the domestic civil air carrier. Members of the military holding "Letters of Authority" will not issue priority certificates in lieu of writing orders which should direct travel by air. If, in an emergency, it is necessary to do so, the reason for same will appear on the certificate.

(a) *Members of ferry crews.* This part as it pertains to members of ferrying crews will be interpreted to include the ferrying personnel of allied military organizations and personnel, either military or civilian, as long as they travel under orders of a Ferry Command or Group. A prescribed form of official travel orders issued by the United States Navy Department when establishing priority for civilian personnel of ferrying missions will be honored. Members of ferry crews will be subject to normal baggage limitations of civil air carriers. The establishment of priority for the passenger will automatically establish the same classification priority for that amount of baggage which is normally carried free on the passenger's ticket, and in addition, members of ferrying crews holding official orders authorizing excess baggage at Government expense will be granted priority for excess baggage consisting of one parachute, one radio including equipment, and flying equipment, all of which must be essential to the accomplishment of the mission. However, priority will not be granted for more than 140 pounds total baggage.

(1) *Domestic civil air carriers.* Commanding Officers of Ferrying Commands (Army, Navy, or Marine Corps), or subordinate Unit Commanders, their Adjutants, or Operations Officers, may grant Class 2 Priority to members of ferrying crews under their command and while on ferrying activities, but only through the medium of official travel orders specifically directing (as contrasted with merely authorizing) the use of military or commercial aircraft on domestic routes. These orders must indicate that personnel are on a ferrying mission. The inclusion of authority for the use of other means of transportation in such orders, if air transportation is not available, will not nullify the automatic establishment of priority.

(2) *Foreign civil air carriers.* Priorities for air transportation on foreign civil air carriers for ferrying crews must be specifically established in each case in accordance with the provisions of § 94.7 (m) of this part. Ferrying crews while engaged in ferrying activities as specified in official travel orders will be granted Class 2 Priority.

(b) *Leave travel.* Under conditions described in War Department Circular 39, 4 Feb. 1943,⁴ priorities will be granted on domestic civil air carriers services upon presentation of a certificate executed by Commanding Officers in support of orders granting specified types of leave or furlough.

§ 94.11 *Members of Congress.* Members of the United States Senate and House of Representatives have been au-

thorized by letter from the Assistant Chief of Staff, Priorities and Traffic, Headquarters, Air Transport Command, to establish priorities for themselves only, on the domestic services covered by this part and when traveling under the provisions of this part. Domestic civil air carriers will, upon application of Members of Congress, and presentation of satisfactory identification, establish Class 3 Priority and will require the Member of Congress to sign a certificate that the mission is necessary to the prosecution of the war and is of such urgency that transportation by air is necessary and on the specific flight concerned.

§ 94.12 *Identification of priority.* Priorities for air transportation, having been established by competent authority, will be identified to the civil air carrier as follows:

(a) *Official travel orders.* Military personnel traveling on official travel orders directing travel by air, as stated in §§ 94.10 and 94.10 (a) herein, may use these orders for the establishment of priority on the domestic services covered by this part and subject to the limitations as outlined under § 94.7. A copy of orders or extracts thereof will be surrendered to the civil air carrier. If passenger cannot surrender the above he will sign a "Certification of Necessity for Priority Air Transportation" after civil air carrier has examined such copy of extract to ascertain if passenger is entitled to priority.

(b) *Priority certificates.* Standard form of priority certificates will be honored by the civil air carrier for the establishment of priorities for passengers or cargo.

(c) *Verbal certification.* Verbal certification for traffic will be accepted by the civil air carrier only from Headquarters, Priorities and Traffic, Air Transport Command; Regional Air Priorities Control Offices; or Station Priorities and Traffic Officers. In making such certifications, the Regional Air Priorities Control Office will give the domestic civil air carrier the same information as required in the certificate.

(d) *Telegraphic certification.* Individuals authorized by "Letter of Authority" to grant priorities may certify such priorities by telegram to a passenger or shipper located in other cities when within the limitations contained in their "Letter of Authority". Such telegrams will be of a standard form as described in instructions to those so authorized. Telegraphic certification from Headquarters, Priorities and Traffic, Air Transport Command; a Regional Air Priorities Control Office; or a Station Priorities and Traffic Officer, will also be honored by the civil air carrier.

(e) *Certification as prescribed in WD Circular 39.⁴* Such certification will be retained by those to whom they have been issued but they will be required to sign a "Certification of Necessity" form when purchasing tickets for priority transportation on domestic routes.

(f) *Certification of necessity.* Passengers for whom a domestic priority has been granted by competent authority will be required by the domestic civil air carrier to sign a certificate that their mission is necessary to the prosecution of the war and that the mission is of such urgency that transportation by air is necessary unless one of the following is surrendered: (1) Priority certificate, (2) telegraphic certification, (3) military orders or extract thereof.

[SEAL]

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-17199; Filed, October 23, 1943;
9:45 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T.D 50948]

PART 16—LIQUIDATION OF DUTIES APPRaisalMENT, BAGGAGE, INFORMAL, AND MAIL ENTRIES

Section 16.12 (e) Customs Regulations of 1943, amended to eliminate stamping date of liquidation on a duplicate copy of customs Form 4333 (Bulletin notice of entries liquidated) when that form is used as a bulletin of liquidations of informal entries.

Section 16.12 (e), Customs Regulations of 1943 (19 CFR 16.12 (e)), is hereby amended by deleting therefrom the words "or on a duplicate copy of Form 4333, as the case may be". (Secs. 505, 624, 46 Stat. 732, 759; 19 U.S.C. 1505, 1624.)

W. R. JOHNSON,
Commissioner of Customs.
Approved: October 21, 1943.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 43-17252; Filed, October 25, 1943;
10:45 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

PART 58—CONTROL OF PERSONS ENTERING AND LEAVING THE UNITED STATES PURSUANT TO THE ACT OF MAY 22, 1918, AS AMENDED

AMERICAN CITIZENS AND NATIONALS

Pursuant to the authority vested in me by section 1 of Proclamation 2523 of

⁴ War Department instructions pertaining to air transportation on commercial airlines within continental United States for personnel of armed services on leave.

the President, issued on November 14, 1941 (6 F.R. 5821) under authority of section 1 of the act of Congress approved May 22, 1918 (40 Stat. 559; 22 U.S.C. 223), as amended by the act of Congress of June 21, 1941 (55 Stat. 252; 22 U.S.C. 223, Sup. II), § 58.7 of the regulations issued on November 25, 1941 (6 F.R. 6069), as amended, is hereby superseded by the following § 58.7:

§ 58.7 Prevention of departure from or entry into the United States. (a) Nothing in these rules and regulations shall be construed as prohibiting the Secretary of State or his representative at a port in the United States from preventing the departure from or entry into the United States, including the Canal Zone and all territories, continental or insular, subject to the jurisdiction of the United States, of a citizen of the United States or a person who owes allegiance to the United States unless he bears a passport, card of identification or other document of identity issued by or under authority of the Secretary of State, notwithstanding the fact that he may be destined for or arriving from a place outside any such territory of the United States for which a valid passport is not required under these rules and regulations.

(b) Nor shall anything in these rules and regulations be construed as prohibiting the Secretary of State or his representative at a port in the United States from preventing temporarily the departure from or entry into the United States, including the Canal Zone and all territories, continental or insular, subject to the jurisdiction of the United States, of a citizen of the United States or a person who owes allegiance to the United States, notwithstanding the fact that such person may bear a valid passport, card of identification, or other document of identity issued by or under authority of the Secretary of State or be destined for or arriving from a place outside any such territory of the United States for which a valid passport is not required under these rules and regulations.

[SEAL] E. R. STETTINIUS, Jr.
Acting Secretary of State.

OCTOBER 23, 1943.

[F. R. Doc. 43-17242; Filed, October 23, 1943; 5:04 p. m.]

Chapter III—Proclaimed List of Certain Blocked Nationals

[Cumulative Supp. I, Oct. 22, 1943 to Rev. VI of Oct. 7, 1943]

ADMINISTRATIVE ORDER

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Sec-

retary of Commerce, the Office of Economic Warfare, and the Coordinator of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555), Cumulative Supplement 1 containing certain additions to, amendments to, and deletions from The Proclaimed List of Certain Blocked Nationals, Revision VI of October 7, 1943 (8 F.R. 13883), is hereby promulgated.¹

By direction of the President:

E. R. STETTINIUS, Jr.,
Acting Secretary of State.

RANDOLPH PAUL,

Acting Secretary of the Treasury.

FRANCIS BIDDLE,

Attorney General.

JESSE H. JONES,

Secretary of Commerce.

LEO T. CROWLEY,

Director, Office of Economic Warfare.

NELSON A. ROCKEFELLER,

Coordinator of Inter-American Affairs.

OCTOBER 22, 1943.

[F. R. Doc. 43-17223; Filed, October 23, 1943; 11:51 a. m.]

TITLE 29—LABOR

Subtitle A—Office of the Secretary of Labor

PART 4—DETERMINATIONS RELATING TO OVERTIME, SUNDAY, AND HOLIDAY PAY

MILK PROCESSING INDUSTRY

Upon application of interested parties for an exemption of the Milk Processing Industry from the provisions of Executive Order 9240 (7 F.R. 7159) and after an investigation and consideration of the relevant factors bearing upon this application, I find that the nature and exigencies of operations in this Industry make it necessary and advisable for the successful prosecution of the war to determine that the provisions of Executive Order 9240 shall not apply to the Milk Processing Industry as defined herein.

Now, therefore, by virtue of the power vested in me by Executive Order 9248, (7 F.R. 7419): *It is ordered*, That in the case of an employer engaged in the first processing of milk, whey, skimmed milk, or cream into dairy products, the provisions of Executive Order 9240 shall not apply to his employees in any place of employment where he is so engaged.

Dated: October 22, 1943.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 43-17222; Filed, October 23, 1943; 11:59 a. m.]

¹ Filed with the Division of the Federal Register in The National Archives. Requests for printed copies should be addressed to the Federal Reserve Banks or the Department of State.

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Office of Economic Warfare, Foreign Economic Administration

Subchapter B—Export Control

[Amendment 112]

PART 802—GENERAL LICENSES

TRUCKS, TRAILERS, BUSES, ETC., GENERAL LICENSE "GLC"

Part 802 General licenses is hereby amended by adding thereto § 802.24 General license "GLC" as follows:

§ 802.24 General license "GLC". A general license designated "GLC" is hereby granted authorizing the exportation of trucks, buses, railroad rolling stock and other commercial vehicles when operated by private or common carriers between the United States and other countries; *Provided*, That such vehicles, except those imported into the United States from a foreign country, shall not be exported for the purpose of resale.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 47, 8 F.R. 8529; E.O. 9361, 8 F.R. 9861 and Order 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081)

C. VICTOR BARRY,
Chief of Office,
Office of Exports.

OCTOBER 22, 1943.

[F. R. Doc. 43-17246; Filed, October 25, 1943; 9:47 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 22]

DELIVERIES INTO THE DOMINION OF CANADA

§ 944.43 (a) Preference ratings or allotments for deliveries to be made into the Dominion of Canada from the United States will be authorized by the War Production Board only upon the recommendation of the Priorities Officer of the Department of Munitions and Supply in Canada.

(b) Any person in Canada authorized to use a rating or allotment number or symbol may do so by endorsing the following certification on his purchase order:

The undersigned purchaser certifies, subject to the penalties of section 15 of

the Canadian Wartime Industries Control Board Regulations, to the seller, to the Canadian Priorities Officer, and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized, under applicable Canadian orders and under applicable War Production Board regulations or orders, to place this delivery order, to receive the item(s) ordered for the purpose for which ordered, and to use any preference rating or allotment number or symbol which the undersigned has placed on this order.

(c) The certification shall be signed manually or as provided in Priorities Regulation 7 (\$ 944.27) by an official duly authorized for the purpose.

(d) After October 31, 1943, the above certification must be used instead of any other certification where a rating or allotment number or symbol is used by a person in Canada. Any certification which is specified for any other purpose by any regulation or order (except one requiring administrative action such as an allocation or express authorization) may be omitted from purchase orders endorsed with the above certification.

(e) Purchase orders bearing the above certification must be given the same effect by suppliers in the United States as orders carrying preference ratings or allotment numbers or symbols and originating within the United States.

(f) Suppliers in the United States who receive rated orders for delivery into the Dominion of Canada bearing the above form of certification may extend the ratings to the same extent as ratings originating in the United States, but must use the regular form of certification provided for use within the United States.

(g) This regulation does not apply to materials exported directly to agencies of the United States Government in Canada.

Issued this 23d day of October 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-17237; Filed, October 23, 1943;
12:23 p. m.]

PART 3118—CONSUMERS' GOODS INVENTORIES

[Interpretation 8 of Limitation Order L-219]

The following interpretation is issued with respect to Limitation Order L-219:

(a) *Mercantile inventory.* A merchant may acquire such control over consumers' goods for the purpose of sale that he is required to include them in his mercantile inventory under Order L-219 even though he neither has legal title to the goods nor holds them on consignment or on memorandum for sale. The following are examples (not intended to be exhaustive) of situations in which a merchant has such control over consumers' goods that he is required to include them in his mercantile inventory:

Examples. (1) *A clothing retailer states:* A manufacturer has shipped apparel to him

in advance of the shipping date specified by the retailer. It is difficult for him to return the goods. If he accepts the shipment, his receipts will become restricted under paragraph (d) (1) of the order.

He inquires: Whether, with the manufacturer's approval, the goods may be stored in a local warehouse in the manufacturer's name and excluded from the retailer's mercantile inventory until he is ready to accept delivery.

The answer is: The facts outlined suggest that, despite the use of the manufacturer's name for storage purposes, it is understood by the manufacturer and the retailer that the goods while so stored will remain subject to the retailer's control and disposition in all material respects and that essentially the storage is for the retailer's account. If that inference is correct, the goods must be considered as part of the retailer's mercantile inventory when they are so stored.

(2) *A retailer states:* He has arranged for a jobber to purchase from a manufacturer certain diamonds selected by the retailer. The jobber is to sell the diamonds so purchased to the retailer. The terms of the sale from the jobber to the retailer include postponement of delivery and payment. The retailer undertakes to specify the time for delivery within a period agreed upon and to make payment upon delivery. The transaction is subject to the condition that if the retailer is unable, by reason of Order L-219, to take delivery within the time agreed upon, the transaction will not be considered at an end, but the delivery date will be extended until such time as the retailer can take delivery without violating the order.

The retailer inquires: Whether he may exclude the diamonds from his mercantile inventory until he accepts delivery from the jobber.

The answer is: The facts indicate that in making the purchase from the manufacturer the jobber is merely acting as an agent for the retailer. Further, under the agreement described, prior to delivery to the retailer, the jobber would in effect be storing the goods for the retailer's account until such time as the retailer requested delivery. It follows that the retailer's control over the goods is such that he must include them in his mercantile inventory at the time the jobber acquires them from the manufacturer.

(3) *A controlled merchant states:* He operates a department store. He proposes to make a loan to a wholesale perfumer and to take as security boxes of perfume which are to remain in the possession of the wholesaler. He has agreed with the wholesaler that the loan will be paid before Christmas by transfer of the security from the wholesaler to the retailer.

The merchant inquires: Whether he must include these boxes of perfume in his mercantile inventory under Order L-219, prior to the time they have been transferred to him in payment of the loan he has made to the wholesaler.

The answer is: If the transaction is a genuine loan, the retailer is not required to include the perfume in his mercantile inventory until the perfume is transferred to him. Whether the transaction is a genuine loan depends not merely on the form of the transaction but on the intent and effect of the parties' agreement. For example: If in a falling perfume market the retailer could insist upon the payment of the loan in cash and refuse to accept the perfume in extinguishment of the debt, or if in a rising market the wholesaler could insist on paying

the loan in money, then the transaction has the characteristics of a genuine loan. The form of a loan may, however, disguise a present sale with delivery postponed. In that event if, considering the situation of the parties and the business involved, it appears that as a practical matter the true effect of the transaction is to transfer immediately to the retailer unqualified control over the perfume, then it must be included in the retailer's mercantile inventory at the time the agreement is made.

(4) *A controlled merchant states:* That his inventory on May 1 included certain consumers' goods which he held on consignment for sale. On July 30 he shipped the consigned goods back to the owner. On August 2, the owner returned the goods to him.

The merchant inquires: Whether he may exclude the merchandise involved from his mercantile inventory on August 1, and thereby avoid having his receipts restricted under paragraph (d) (1) of the order.

The answer is: While the merchant went through the form of returning the goods, the facts outlined indicate that he did so pursuant to an understanding with the owner that the return was not to be an abandonment of the consignment and that the owner would ship the goods back to the merchant after the first of the month. If that inference is correct, then there was no genuine return but rather the use of a purported return as a device to evade the order, while the actual relations of the parties with respect to the goods remained essentially unchanged. The merchant retained control over the merchandise in all essential respects. Under such circumstances the merchant is required under Order L-219 to treat such goods as part of his mercantile inventory on August 1.

(b) *Factory inventory.* The meaning of the words "immediate vicinity" as used in paragraph (a) (2) (i) of Order L-219 is governed by the purpose of the transfer of goods to storage, as well as the distance of the storage place from the factory. If goods are transferred from the factory to a warehouse in the same general area for storage and ultimate distribution without regard to geographical location of customers, then such goods would be considered "factory inventory." If the transfer of goods from factory to warehouse is made because of convenience to channels of distribution, then such goods would be considered "mercantile inventory." Movement of goods within the same wholesale center does not usually constitute a change in classification from factory to mercantile inventory. However, each case must be examined individually in the light of the facts peculiar to the specific operation.

(c) *Piece goods and other consumers' goods manufactured from piece goods.* Piece goods such as silks, velvets, rayons and synthetics, woolens, cottons, linens, mixtures, wash goods and linings, are consumers' goods under the order. (See List B of the order.)

Piece goods become part of a merchant's mercantile inventory under the order, under the following conditions:

(1) In the hands of the manufacturer of the piece goods the determination of when they must be treated as mercantile inventory rather than factory inventory is governed by paragraphs (a) (2) and (a) (12) of the order.

(2) Piece goods held for sale as piece goods by a merchant who did not manufacture such goods are part of his mercantile inventory. This rule applies even though the merchant is a wholesaler who sells bolts of piece goods only to apparel manufacturers. Since sales of piece goods to individual ultimate consumers for personal or household use are

customarily made from piece goods which retailers buy in bolts, the fact that a wholesaler does not sell his piece goods to individual ultimate consumers does not change the nature of the piece goods while he holds them for sale. (See paragraph (h) of Interpretation No. 1 to Order L-219, issued May 8, 1943.) Hence, the wholesaler is required to treat the piece goods he holds for sale as part of his mercantile inventory under the order.

(3) When a merchant holds piece goods which he intends to manufacture or to have manufactured into other consumers' goods which he will hold for sale, the following rules apply to the piece goods and to the other consumers' goods:

(i) If he does not customarily sell such other consumers' goods to other merchants and his practice is confined to selling such other consumers' goods to individual ultimate consumers through stores which he owns or controls, then his piece goods are part of his mercantile inventory under the order. Likewise the other consumers' goods made from such piece goods are part of his mercantile inventory regardless of their physical location.

(ii) If the merchant customarily sells the other consumers' goods which he manufactures or causes to be manufactured from his piece goods to other merchants in addition to selling such other consumers' goods to individual ultimate consumers through his own store or stores which he controls, then his piece goods are not part of his mercantile inventory under the order. However, if he is the manufacturer of such other consumers' goods (manufactured from his piece goods) then he must include them in his mercantile inventory when they are transferred from his factory inventory to a stock-carrying branch warehouse or to stores which he owns or controls (paragraph (a) (12) of the order). If he is not the manufacturer of the other consumers' goods but is, for example, a contract-employer such as a dress jobber, the method of determining when such other consumers' goods are mercantile inventory and when they are factory inventory is explained in paragraph (i) of Interpretation No. 1, issued May 8, 1943.

(d) *Converters.* A merchant inquires whether Order L-219 applies to the converting trade. The answer is that if the converter merely converts unfinished goods which he does not own into finished consumers' goods for the account of the owner and returns the goods to the owner, then the converter is not subject to Order L-219. A converter who operates in that fashion does not hold consumers' goods for sale and, hence, he has no mercantile inventory under paragraph (a) (2) of the order. However, if the converter is also engaged, or is solely engaged in finishing his own goods and in marketing such goods, then his operations are governed by paragraphs (a) (2) (i) and (a) (12) of the order. These paragraphs define the circumstances under which goods manufactured by a merchant become part of his mercantile inventory and subject to control if the merchant meets the requirements of paragraph (a) (4) of the order.

(e) "Goods in transit" and "business day" (paragraph (a) (2) (iii) of Order L-219). If it has been a merchant's regular practice to include in inventory goods in transit, he must continue to do so under Order L-219. If it has been the merchant's practice to exclude goods in transit from his inventory, he must, nevertheless, include in his inventory at the beginning of a quarter goods which he received up to 12:01 a. m. of the last day of the month preceding the beginning of the quarter. This rule is not changed by the fact that the last day of the month may be a Saturday and that the merchant's premises may be closed on Saturdays. The provision of para-

graph (a) (2) (iii) of the order that goods shall cease to be considered in transit "not later than one business day after they are delivered to a merchant on his premises," etc. was not included for the purpose of allowing a merchant an extra day of sales to set off against his receipts. Rather, it was provided as a convenient cut-off period for accounting purposes, since in many cases receipts of merchandise are not checked by receiving-room personnel for days after such goods have been delivered.

(f) "In transit" (paragraph (a) (2) (iii) of Order L-219). If a controlled merchant who has bought consumers' goods stops their carriage for the purpose of storing the goods with the carrier and receiving the shipment in inventory at a later time, the goods will cease to be considered in transit not later than one business day after the merchant has stopped the shipment.

(g) *Repossessed, replevined, abandoned merchandise and "trade-ins".* In dealing with these goods under the order, a controlled merchant must be guided by the requirements of paragraph (j) of the order. This provision requires the merchant in his current computations and for all other purposes of the order, to treat the goods in a manner which follows and is consistent with his base period practice. Thus, with respect to repossessed, replevined or abandoned merchandise: If it was the merchant's practice during his base period to cancel the sales when the goods were retaken, then the goods need not be included in the computation of his receipts of consumers' goods under the order, although they become part of his mercantile inventory. If it was not his practice to cancel the sale of goods so retaken, then they must be included in the computation of his receipts under the order. With respect to "trade-in" merchandise: If in his base period practice the merchant deducted the value of "trade-ins" from his net sales, then the "trade-ins" need not be included in the computation of his receipts, but do become part of his mercantile inventory. On the other hand, if he did not deduct the value of "trade-ins" from his net sales under his base period practice, then the "trade-ins" must be included in the computation of his receipts under the order.

(h) *Goods held for sale.* A merchant holds goods for sale within the meaning of paragraph (a) (2) (iv) of the order even though he has transferred possession to another person if: Such other person is not to use the goods or to sell them to a third party but is to deliver them either back to the merchant for sale or to the merchant's customers.

(i) *Services. Question:* Paragraph (a) (1) of Order L-219 states that goods used in rendering personal services, such as shoe repairing, are not included in the term "consumers' goods" for the purposes of the order. What other services illustrate this provision?

Answer: Radio maintenance and repair, appliance maintenance and repair, hemstitching, monogramming, fur repair, fur storage, hosiery repair, jewelry repair, shoe shining, beauty parlor and barber shop services, magazine subscription service, photo-finishing and portrait photography, typewriter repair, optical service and prescription grinding, and compounding of prescription medicines.

(j) *Segregation* (paragraph (i) (1) of Order L-219). *Question:* If a merchant finds it is impracticable to segregate consumers' goods from materials used in rendering services in keeping his records, making his computations and in other matters under the Order, how should he treat them?

Answer: He must include them in his mercantile inventory. In that case, the price

charged for the service for which they are used is a part of the selling price, the amount of which is likewise to be included in net sales. The treatment of such matters in compiling the current figures must be consistent with their base period treatment.

(k) *Consumers' goods.* The following goods are considered as consumers' goods even though the inventories are held in and the sales are made through service departments, or the operations involved have some features resembling services:

(1) Cosmetics, other than those used in rendering beauty parlor services.

(2) Cameras, picture frames, roll films and other photographic supplies.

(3) Radio receivers, loudspeakers, tubes, batteries, aerials, and other electrical products; also repair parts suitable for sale to consumers for making repairs at home, even though at times used also in rendering repair services.

(4) Men's custom clothes.

(5) Fresh flowers.

(6) Draperies.

(7) Carpets and linoleum.

(8) Medicines suitable for sale to consumers without further compounding, even though at times used also in prescription work.

(9) Stationery and related items stocked in a form suitable for sale to consumers without further processing, even though at times used in printing to the customer's order.

(10) Industrial uniforms sold on a drop shipment basis (see paragraph (a) (5) of the Order).

(11) Binoculars, sun glasses and spectacle frames.

(12) Apparel, even though altered to fit.

(13) Custom-made fur coats.

(14) Typewriter ribbons.

(15) Leather straps, metal bands, bracelets and similar attachments, used to hold a watch on the wrist.

(16) Wallpaper.

(1) *Fur skins.* Fur skins which have been dressed are consumers' goods. Fur skins which have not been dressed are not consumers' goods.

(m) *Watch movements and cases.* Uncased watch movements and empty watch cases are not consumers' goods.

(n) *Mountings and unset stones.* Loose precious stones and mountings in which stones have not yet been set are consumers' goods.

(o) *Diamonds sold in "papers" (List A).* Wholesale diamond merchants may consider a "paper" of diamonds as one unit in determining whether they qualify for exemption under paragraph (b) (1) of the order, on the ground that more than 50 per cent of their business is done in jewelry selling at \$200 or more per piece; *Provided*, That

(1) The wholesaler's sale of diamonds in such "papers" is consistent with his customary practice, and

(2) That the "paper" of diamonds is offered to the retailer as a "paper" and the retailer is not permitted to select and purchase some diamonds from the "paper" and reject the balance.

(p) *Gas (List A).* Gas, whether natural, manufactured, or mixed, is considered a miscellaneous heat or power fuel for purposes of List A of Order L-219. Any merchant more than fifty per cent of whose aggregate net sales of all kinds of goods during his most recently completed inventory year were sales of gas is exempt under paragraph (b) (1) of Order L-219. Thus, under paragraph (f) (1), a gas utility would compute the percentage of its sales of gas and any other items on List A to total sales for all stores, branches, divisions and sections of its enterprise under common control or ownership. If more than fifty per cent of its total sales

in its most recently completed inventory year were of gas or of other items on List A, this utility would be exempt and would not be required to limit inventories in the appliance division of its business.

(q) *Tolerance (paragraph (e) (1) of Order L-219).* Question: If a controlled merchant maintains mercantile inventories in both the East and the West, how should the "tolerance" factor be applied?

Answer: If inventory records are available by geographic areas and inventories are valued at cost:

(1) Take the percentage of the total inventory at the beginning of the quarterly period in the Mountain and Pacific Time Zones, and in the Central and Eastern Time Zones. *Example:* Total inventory at the beginning of the fourth quarterly period \$250,000. Inventories held in the Mountain and Pacific Zones, \$100,000 or 40 per cent of total; in the Eastern and Central Time Zones, \$150,000 or 60 per cent.

(2) Apply the percentages calculated, according to the instructions above, to the computed "normal inventory". *Example:* Computed "normal inventory" at the beginning of the fourth quarterly period, \$200,000. "Normal inventory" apportioned to the Mountain and Pacific Time Zones \$80,000 (40% of \$200,000) and to the Eastern and Central Time Zones \$120,000 (60% of \$200,000).

(3) Apply the 15% tolerance to that portion of the normal inventory allotted to the West (15% of \$80,000) and 10% tolerance to the portion allotted to the East (10% of \$120,000).

(4) Add the figures thus obtained (\$12,000 and \$12,000) to the normal inventory (\$200,000) to secure the inventory limit for the business (\$224,000). If the inventories are at retail value instead of at cost, apply tolerances of 13% and 8% respectively instead of 15% and 10% (paragraph (1) (1) of the order). If no inventory records are available by geographic areas, write to the War Production Board for instructions, describing the records which are available on a geographic basis.

(r) *Carry-overs of "allowable receipts".* A merchant may "carry-over" from one month of a quarterly period to the next month of that quarterly period any unused portion of his allowable receipts allocated to that month.

Example: Merchant A had allowable receipts for July (of his July-August-September quarterly period) amounting to \$110,500. His actual receipts during July were \$109,200. His unused allowable receipts are therefore \$1,300. The portion of his allowable receipts allocated to August was likewise \$110,500. However, he may "carry-over" or add to the \$110,500 allowable receipts originally allocated to August, the unused portion of his July allocation. Thus, his allowable receipts for August will, under these conditions, equal \$111,800 (\$110,500 plus \$1,300). A merchant may in no event, however, receive more than one-third of his allowable receipts during the first month of the quarterly period and he may not receive more than two-thirds of his allowable receipts during the first two months of such quarterly period (paragraph (d) (2) of Order L-219).

(s) *"Allowable receipts" must not be exceeded.* After a merchant whose receipts are restricted under paragraphs (d) (1) and (d) (2) has exhausted his allowable receipts for a month, he must not receive any more goods into stock during the remainder of that month. At such times, he must refuse all delivery of consumers' goods.

Question: May a merchant exceed his "allowable receipts" if his current sales trend indicates that his actual sales will be greater than his "projected sales"?

Answer: Under no conditions may a merchant exceed his "allowable receipts" without violating the provisions of Order L-219.

(t) *Wholesaler-sponsored voluntary chains.* Each independent merchant in a wholesaler-sponsored voluntary chain must treat his business as an independent enterprise for all purposes of Order L-219.

(u) *Leased departments.* An independent operator of a leased department must segregate his sales, inventories and receipts of merchandise from those of the lessor (department store, etc.) for all purposes of the order. If he operates a chain of leased departments he must consolidate his records for the entire chain for all purposes of the order (paragraph (f) (1) of the order).

(v) *Three-way exchange (paragraph (n) (1) of Order L-219).* Subject to paragraph (n) (1) of Order L-219, a controlled merchant whose receipts are restricted may make exchanges of consumers' goods with other persons. Such exchanges may be effected between three as well as between two merchants, for example: Merchant A transfers blankets to Merchant B, Merchant B transfers rugs to Merchant C and Merchant C transfers toys to Merchant A. This transaction involves three exchanges, viz: Merchant A has exchanged blankets for toys, Merchant B has exchanged rugs for blankets, Merchant C has exchanged toys for rugs.

(w) *Special sales effected outside a merchant's ordinary method of doing business (paragraph (n) (2) of Order L-219).* Question: What is meant in paragraph (n) (2) of the order by a special sale effected outside a merchant's ordinary method of doing business?

Answer: In each case it depends upon the fields of business operation of the merchant and the purchaser and upon those features of the transaction which differentiate it from sales of the type customarily made by the merchant. Generally speaking, the sale must meet the following requirements:

(1) It must be made "cross stream" or "up stream." That is, it must be made to a person on the same or a higher distributive level, such as a sale by: A retailer to another retailer; a retailer to a wholesaler or manufacturer; a wholesaler to another wholesaler or to a manufacturer. And

(2) It must be made to a purchaser who is not in the same field of business operation as the customers to whom the seller makes sales in the regular course of business. For example, a sale by a hosiery wholesaler to another hosiery wholesaler would not be a special sale if the seller is regularly engaged in selling to the wholesale as well as to the retail trade.

In all cases, the sale must be absolute, that is, there must be no understanding or agreement providing for return of the goods to the vendor or for retention by the vendor of any control over the goods.

(x) *Special sales for cash plus merchandise.* Under paragraph (n) (2) of the order a merchant who sells part of his mercantile inventory by sales effected outside of his ordinary method of doing business for a consideration consisting of cash and other merchandise may apply for an increase of his allowable receipts to the extent of the cash consideration.

(y) *Increase of allowable receipts under paragraph (n) (2) is discretionary.* Question: Does paragraph (n) (2) of the order give the merchant an absolute right to an increase of his allowable receipts to the extent of sales which he has made under the conditions outlined in that paragraph?

Answer: No. The War Production Board may, in its discretion, grant or refuse an increase of allowable receipts requested under paragraph (n) (2).

(z) *Receipts of goods.* Under paragraph (a) (12) of the order a merchant may deduct from the cost value of his receipts of con-

sumers' goods the cost value of goods which he returns in good faith to his vendor because the goods are defective or are otherwise not in accordance with the specifications of his order. However, a merchant who exceeds his allowable receipts is not excused from such violation of the order by returning goods after he has accepted delivery. A merchant may not accept delivery of merchandise if his actual receipts will thereby exceed his allowable receipts.

However, a merchant whose receipts are restricted may, under paragraph (n) (2) of the order, make a "cross stream" or "up stream" sale. This includes a sale by the merchant back to his vendor. While the merchant does not have the right to deduct the consideration for such a sale to his vendor when reporting his receipts under the order, or the right to increase his allowable receipts to the extent of the consideration received for such sale, he may, as provided in paragraph (n) (2) of the order apply to the War Production Board for such an increase of his allowable receipts. (See paragraphs (w), (x) and (y) of this interpretation.)

(aa) *Effect under Order L-219 of acquisition of a new store by a controlled merchant.*

(1) *When he intends to continue the store purchased as a going business:*

If the purchaser's receipts are not restricted under the order during the quarter in which the purchase occurs, the order places no restrictions on the receipts of the two stores during the remainder of the quarter. However, beginning with the next quarter, the merchant is required, under paragraph (f) (1) of the order to consolidate the current and base period data of the store he acquired with the records of his original store in all of his computations and other matters under the order.

If the receipts of the purchaser are restricted under the order to his allowable receipts during the quarter in which the purchase is made, he must adopt one of the following two courses:

(1) He may treat the stock of consumers' goods in the store he has purchased as receipts, and report them as such when reporting his receipts of consumers' goods for the quarter. However, he may not follow this method if the addition of the cost value of the stock of the new store will cause his receipts to exceed his allowable receipts for the quarter.

(ii) He may in his computations and in all other matters under the order treat the two stores as separate enterprises until the beginning of the next quarter. If at the time of the purchase the receipts of the enterprise he purchased were restricted under the order he must also confine the receipts of that enterprise to its allowable receipts for that quarter. If he adopts this method (treating each store separately) he may, subject to paragraph (n) (1) of the order exchange stock between the two stores. However, he must include in his computation of the receipts of each store the excess, if any, of the cost value of the goods it receives over the cost value of the goods it transfers. Goods so transferred may not be included in the net sales of either store. Regardless of which of these two courses he follows during the quarter in which the purchase occurs, he must, beginning with the next quarter consolidate the records of the two stores as provided in paragraph (f) (1) of the order.

(2) *When the purchaser intends to discontinue the operation of the store he purchases:*

The merchant's sole purpose in making the purchase may be to remove the stock of the store purchased and add such stock to his own. If those are the only facts involved, then the purchase of the consumers' goods in the stock of the store acquired must be treated under the order in

the same manner as any other consumers' goods purchased by the merchant. If the purchaser's receipts are not restricted under the order, there is no restriction upon his acquiring the new stock. On the other hand, if the purchaser is restricted to his allowable receipts for the quarter, he may not acquire merchandise in such amount that his receipts will exceed his allowable receipts. However, the purchase of a store which the merchant intends to discontinue as a going business may involve the purchase of the name, the good will, the accounts, etc., of the store acquired. It may also involve the continuance in some measure of the identity of the business acquired by the merchant who makes the purchase. This may be true, even though the store acquired is discontinued as a going business at its former location. In the situation described, the order does not give the merchant the right to compute on a consolidated basis his inventory-sales ratios, his sales ratios, or his projected sales. Accordingly, if facts of the type outlined should be involved, the merchant should appeal under paragraph (q) (3) of the order for permission to make appropriate adjustments of his computations based upon the necessities of his new situation.

(bb) *Common ownership or control under paragraph (f) (1).* Paragraph (f) (1) of the order requires consolidation of the reports and records of enterprises "under common ownership or control without regard to corporate or other distinctions between such enterprises." Under this provision, enterprises, whether conducted by partnerships, corporations, or otherwise, must consolidate their records under the order where there is common ownership or control, even though the ownership or the control of the enterprises involved is not identical. Each case is to be determined on the basis of the facts involved.

Issued this 23d day of October 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-17224; Filed, October 23, 1943;
12:21 p. m.]

PART 3281—PULP AND PAPER

[Schedule II as Amended Oct. 23, 1943 to
Limitation Order L-120]

PAPER AND PAPERBOARD FOR USE IN BOOK PUBLISHING

§ 3281.18 *Schedule II to Limitation
Order L-120—(a) Definitions.* For the
purpose of this schedule, including the
Appendix:

(1) The term "paper" means and is limited to the kinds of paper commonly described and distributed in the paper trade by the names used as captions in the Appendix below.

(2) The term "paper for use in book publishing" means all "paper" commonly manufactured and distributed for use in books and in publishing pamphlets for resale.

(3) A "grade" means one particular quality within a kind of paper, such grade having the essential properties peculiar to such kind of paper and common to all grades within such kind, but distinguished from other such grades by a difference in the degree to which one or several of those common properties are emphasized. However, a difference in the degree to which any such property is em-

phasized, due only to a difference in ash content, in sizing, in the quantity of adhesive in the coating formula, or in the dyes used in the paper or coating shall not be considered as resulting in a different grade.

(4) "Color" means any hue of the spectrum, including but not limited to ivory india and green-white tints, and black, but not including white.

(5) The term "basis weight" means the weight of a kind of paper in pounds per 500 sheets in the size indicated under the appropriate caption, or the equivalent weight of 500 sheets in any other size figured proportionately to the size specified.

(6) An "item" means a quantity of paper all of which is of the same size, grain, basis weight, finish, color and grade.

(7) The term "standard" as applied to grade, color, basis weight, and size means, with respect to each manufacturer, a grade and color selected and a basis weight and size specified under A of the appropriate caption in the Appendix below.

(8) The term "special" as applied to grade, color, basis weight, and size means, with respect to each manufacturer, any grade, color, basis weight or size that is not standard.

(9) The term "special making order" means a single order placed by a single buyer for manufacture at one time for use by one printer or publisher.

(10) The term "manufacture" includes all making and finishing operations prior to packaging or packing, including pasting whether by a primary manufacturer or otherwise.

(11) "Person" means any individual, partnership, association, or other form of enterprise, including within one "person" all affiliates, subsidiaries, individuals, corporations, partnerships, or other forms of enterprise subject to a common executive or operating management or with a common sales organization.

(b) *Identification of the papers subject to this schedule.* It shall be the duty of each person who manufactures paper to determine in the first instance, but subject to review and official classification by the War Production Board at any time thereafter, under which caption of the Appendix, if any, belongs each of the "papers for use in book publishing" manufactured by him. There shall be taken into account in such determination, and in any review and reclassification by the War Production Board, the designation by which the manufacturer heretofore identified or distributed the paper in question, the common designation in the paper trade of similar papers selling within the same general price range as the paper in question, and the common designation in the paper trade of papers possessing the same general physical characteristics, manufactured by the same general processes, or commonly distributed and used for the same general uses as the paper in question. If a manufacturer is uncertain as to the proper caption under which to classify a particular kind of "paper for use in book publishing", or whether a particular kind of paper is such a paper

at all or belongs under any caption of the appendix to this schedule, he may apply to the War Production Board, in writing, for an official classification of such paper, submitting with his application representative samples of the grade or grades in which he manufactures such paper, a full explanation of the processes by which he manufactures the same, the designation by which he has heretofore identified or distributed the same, the general uses for which it is intended, the general price range within which it is sold, and the types of papers with which it chiefly competes, and a full explanation of the reasons for his uncertainty. The War Production Board may on its own motion review a manufacturer's classification and substitute therefor an official classification. In any event, an official classification by the War Production Board by telegram or notice in writing sent to the manufacturer shall, unless and until the War Production Board shall amend or revise the same by telegram or notice in writing sent to the manufacturer, be conclusive.

(c) *Selection of grades for regular manufacture.* Each person who manufactures any kind of "paper for use in book publishing" shall, with respect to each such kind he manufactures select such "grade" or "grades" thereof (if such selection is indicated under the appropriate caption and has not already been reported by him to the War Production Board), not to exceed the number specified in A (1) of the appropriate caption of the Appendix below, as he may desire to adopt for regular manufacture, and shall immediately notify the War Production Board of such selection on Form WPB 1295 (formerly PD-589). The manufacturer may thereafter apply to the War Production Board for leave to amend the original selection, but unless and until such leave is granted by the War Production Board in writing the original selection shall remain binding.

(d) *Selection of colors for regular manufacture.* If by the terms of A (2) under the appropriate caption of the Appendix below a manufacturer is permitted, with respect to a particular grade of a kind of "paper for use in book publishing", to select a number of colors, and such selection is indicated and has not already been reported by him to the War Production Board, each person desiring to manufacture such grade in colors shall immediately select therefor such particular colors, not to exceed the number indicated in A (2) of the appropriate caption, as he may desire to adopt for regular manufacture and shall immediately notify the War Production Board of such selection on Form WPB 1295 (formerly PD-589). The manufacturer may thereafter apply to the War Production Board for leave to amend the original selection, but unless and until such leave is granted by the War Production Board in writing the original selection shall remain binding.

(e) *General limitations.* No person shall manufacture any kind of "paper for use in book publishing" in any grade, color, basis weight, or size other than those specified or selected as standard

under A of the appropriate caption of the Appendix (where such standards are specified or selected under A of the appropriate caption), or contrary to any other provision under the appropriate caption. This general rule is, however, subject to the following exceptions:

(1) Any item the manufacture of which is permitted under Schedule I to Limitation Order L-120 may be manufactured for use in books or in publishing pamphlets for resale.

(2) Tolerances and variations are permitted to the extent provided in paragraph (f).

(3) Cutting and slitting to various sizes are permitted to the extent provided in paragraph (g).

(4) Special provision is made for "jobs" and "seconds" in paragraph (h).

(5) Special provision is made for export orders in paragraph (i).

(6) Exceptions are made for "special making orders" under certain captions of the appendix. However, regardless of these exceptions where special making orders are so permitted under any caption, the basis weight or thickness must not exceed the heaviest standard basis weight or thickness permitted under A of such caption.

(7) Paper in process of manufacture on September 1, 1943, and conforming to the requirements of this order prior to the amendment effective that date, may be completed otherwise than by pasting.

(8) Paper may be manufactured in any basis weight or thickness permitted for a particular use by this or any subsequent order, provided the basis weight or thickness does not exceed the maximum specified by the War Production Board for such use, and provided all other provisions of this or such subsequent order are fully complied with.

(f) *Tolerances and variations.* The prohibitions and restrictions of this revised schedule are subject to the normal tolerances customary in the manufacture of the kind of paper under each caption and to the normal variations in quantity manufactured customarily acceptable in the paper trade. Nothing in this revised schedule shall restrict the remaking, because of faulty manufacture or excessive underrun, of all or any part of a "special making order" accepted in good faith for manufacture in accordance with the terms of this revised schedule.

(g) *Cutting and slitting.* Nothing in this revised schedule shall restrict the cutting of any sheet size to sizes of which the parent size is a multiple, provided the parent size is manufactured in accordance with the provisions of this revised schedule, nor restrict the slitting to fractional width rolls of any parent roll size manufactured in accordance with the provisions of this revised schedule on an order for roll paper; however, a special sheet size may not be cut from a standard or special roll size except in a quantity and under the conditions, if any, applying to a "special size" under B of the appropriate caption in the appendix below.

(h) *Jobs and seconds.* Nothing in this revised schedule shall restrict the sale of "job lots" or "seconds", resulting from faulty manufacture or overruns customarily unacceptable to the buyer, which occur during a bona fide attempt to manufacture paper according to the terms of this revised schedule, provided that the manufacturer clearly informs the purchaser that such paper is a "job lot" or "seconds" and so indicates on each package.

(i) *Exception for export.* Regardless of the foregoing provisions of this revised schedule and of the provisions of Limitation Order L-120, a person may manufacture for export (but may not without permission in writing by the War Production Board sell in the domestic market) any kind of paper for use in book publishing in any size or basis weight required, regardless of quantity, provided all other provisions of this schedule are complied with and (if the basis weight is heavier than permitted by this schedule) such person has received permission in writing from the War Production Board to manufacture the particular order in question in such heavier basis weight.

(j) *Records and reports*—(1) *Standard samples.* Each person who manufactures any kind of "paper for use, in book publishing" shall keep readily available for inspection by the War Production Board, representative samples of each standard grade and each standard color of such grade selected by him under A (1) and A (2) of the appropriate caption.

(2) *Special making orders.* On and after September 1, 1943, each person who manufactures any "special making order" permitted under B of the appropriate caption of the Appendix below shall require from the buyer a statement to the effect that such order is purchased for use by one printer or publisher, shall keep such statement, together with a complete record of such order, readily available for inspection by the War Production Board, and shall submit reports of such orders to the War Production Board as it may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(3) *Export orders.* On and after September 1, 1943, each person who manufactures "paper for use in book publishing" for export shall require from the buyer a statement on his purchase order to the effect that such paper is purchased for export, shall keep such statement, together with a complete record of the order against which such paper is manufactured, readily available for inspection by the War Production Board, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, and shall submit reports of such orders to the War Production Board as it may from time to time require.

(4) *Buyer's statement of use.* On and after September 1, 1943, each manufacturer, before filling any order for "paper for use in book publishing" manufactured after September 1, 1943, shall require from the buyer a statement that

such order is for use in books or in publishing pamphlets for resale, and shall keep such statement, together with a complete record of such order, readily available for inspection by the War Production Board.

NOTE: The reporting requirements of WPB 1295 (formerly PD 589) have been approved by the Bureau of the Budget pursuant to Federal Reports Act of 1942.

Issued this 23d day of October 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX—STANDARDIZATION AND SIMPLIFICATION OF PAPER AND PAPERBOARD FOR USE IN BOOK PUBLISHING

UNCOATED ENGLISH (MACHINE) FINISH BOOK PAPERS

A. Grades, Colors, Weights, and Sizes for regular manufacture:

(1) *Standard Grades:* Not more than two, selected according to paragraph (c) of the foregoing schedule.

(2) *Standard Colors:* In the grades selected under A (1), White and India only.

(3) *Standard Basis Weights (per 500 sheets 25' x 38'):* 30, 35, 40, 45; and, if for use in printing text books for elementary school grades 1 and 2 or for juvenile books, basis weight 50, provided that before the sale thereof the manufacturer shall require from the buyer a statement that the order is for such use. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

(4) *Standard Sizes (in inches):*

Sheets: 38 x 50, 41 x 61, 44 x 66, 46 x 69.
Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

B. *Exceptions for "special making orders"* as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either white or any one color, standard or special; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A special Basis Weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or white; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under Exceptions (1), (2) and (3) above.

(5) *Basis Weights below 30 pound.* No restriction on grade, basis weights or sizes in basis weights below 30 pound.

UNCOATED BOOK PAPERS, SUPERCALENDERED

A. Grades, Colors, Weights and Sizes for regular manufacture:

(1) Standard Grades: Not more than two, selected according to paragraph (c) of the foregoing schedule, provided they correspond to the two selected for Uncoated English (Machine) Finish Book Papers.

(2) Standard Colors: In the grades selected under A (1), White and India Only.

(3) Standard Basis Weights (per 500 sheets 25" x 38"): 40, 45, 50.

(4) Standard Sizes (in inches):

Sheets: 38 x 50, 41 x 61, 44 x 66, 46 x 69.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

B. Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color, standard or special; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A Special Basis Weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item.

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or white; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under Exceptions (1), (2) and (3) above.

UNCOATED OFFSET BOOK PAPERS

(a) The quantity of each special color is at least 20,000 pounds, in one grade; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A Special Basis Weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or white; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under Exceptions (1), (2) and (3) above.

(5) Any fancy finish may be applied to any item conforming to the other conditions of this caption.

(6) A laid mark or other watermark may be incorporated in a special making order of 5,000 pounds or more of any item conforming to the other conditions of this caption.

(7) A Supercalendar Finish may be applied to fill a special making order for 2,000 pounds or more of any item conforming to the other conditions of this caption.

COATED TWO SIDES BOOK PAPERS

(Including glossy coated, dull coated, and coated offset)

A. Grades, Colors, Weights, and Sizes for regular manufacture:

(1) Standard Grades: Not more than one, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: In the grade selected under A (1), White and India only.

(3) Standard Basis Weights (per 500 sheets 25" x 38"): 50, 60; and, if for use in multicolor printing on an offset press, 65, provided that before the sale thereof the manufacturer shall require from the buyer a statement that the order is for use in multicolor printing on an offset press. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

Definition of multicolor printing. Multicolor printing means the use of more than two colors of ink including black, two or more colors being superimposed on the base color ink to produce the desired design or illustration.

(4) Standard Sizes (in inches):

Sheets: 38 x 50, 41 x 54, 44 x 64, 50 x 68 1/4.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

(5) Any fancy finish may be applied to any item conforming to the other conditions of this caption.

(6) No laid mark or other watermarks permitted.

(7) No supercalendered Offset Paper permitted.

B. Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color, standard or special; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A Special Basis Weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or White; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under Exceptions (1), (2), and (3) above.

ANTIQUE (EGGSHELL) FINISH BOOK PAPERS (INCLUDING HIGH BULK)

A. Grades, Colors, Weights, and Sizes for regular manufacture:

(1) Standard Grades: Not more than two, selected according to paragraph (c) of the foregoing schedule, but only one may carry a watermark and/or a laid mark.

(A difference in bulk does not in itself constitute a difference in Grade.)

(2) Standard Colors: In the grades selected under A (1), White and India only.

(3) Standard Basis Weights (per 500 sheets 25" x 38"): 40, 45, 50; and, if in a standard watermarked text grade, basis weight 60.

(4) Standard Sizes (in inches):

Sheets: 38 x 50, 41 x 61, 44 x 66, 46 x 69.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

B. Exceptions for "Special making orders" as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either white or any one color, standard or special; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order provided that:

PROCESS (MACHINE COATED) BOOK PAPERS

Maximum Basis Weight Permitted: 25" x 38"-60.

COATED ONE SIDE BOOK PAPERS

Maximum Basis Weight Permitted: 25" x 38"-60.

PLAIN COATED COVER

Maximum Basis Weight Permitted: 20" x 26"-60 in a standard grade; or any basis weight in a "soilproof, grease, or moisture resistant" cover which results from coating a 20" x 26"-65# raw stock, is permitted.

END LEAF PAPER

Maximum Basis Weight Permitted: 25" x 38"-80.

SCHOOL DRAWING PAPER

(Exclude "Artists Drawing" and "Drafting")

Maximum Basis Weight Permitted: 25" x 38"-50.

GROUNDWOOD PRINTING PAPERS

ALL GRADES

Maximum Basis Weights Permitted:

Machine Finish: 25" x 38"-45.

Antique Finish: 25" x 38"-50.

Supercalendered: 25" x 38"-50.

NOVEL NEWS

Maximum Basis Weight Permitted: 24" x 36"-32.

NEWSPRINT

Maximum Basis Weight Permitted: 24" x 36"-32.

GROUNDWOOD DIRECTORY PAPER

Maximum Basis Weight Permitted: 24" x 36"-28.

NOTE: The report forms called for in this Schedule have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

[F. R. Doc. 43-17228; Filed, October 23, 1943; 12:22 p. m.]

PART 3281—PULP AND PAPER

[Schedule III, as Amended Oct. 23, 1943, to Limitation Order L-120]

FINE WRITING PAPERS

§ 3281.19 Schedule III to Limitation Order L-120—(a) Definitions. For the purpose of this schedule, including the appendix:

(1) The term "fine writing papers" means and is limited to the kinds of paper commonly described and distributed in the paper trade by the names used as captions in the Appendix below.

(2) A "grade" means one particular quality within a kind of fine writing paper, such grade having the essential properties peculiar to such kind of paper and common to all grades within such kind, but distinguished from other such grades by a difference in the degree to which one or several of those common properties are emphasized. However, a difference in the degree to which any such property is emphasized, due only to a difference in ash content, in sizing, in the quantity of adhesive in the coating formula, or in the dyes used in the paper

or coating shall not be considered as resulting in a different grade.

(3) "Color" means any hue of the spectrum, including but not limited to ivory, india and green-white tints, and black, but not including white.

(4) The term "substance weight" means the weight of a kind of fine writing paper in pounds per 500 sheets in the size indicated under the appropriate caption, or the equivalent weight of 500 sheets in any other size figured proportionately to the size specified.

(5) The term "thickness" means the thickness of a sheet of paper or paper-board expressed either in terms of plies or in terms of thousandths of an inch measured by the Cady Micrometer.

(6) An "item" means a quantity of paper all of which is of the same size, grain, substance weight, finish, color and grade.

(7) The term "standard" as applied to grade, color, substance weight, and size means, with respect to each manufacturer, a grade and color selected and a substance weight and size specified under A of the appropriate caption in the Appendix below.

(8) The term "special" as applied to grade, color, substance weight, and size means with respect to each manufacturer, any grade, color, substance weight or size that is not standard.

(9) The term "special making order" means a single order placed by a single buyer for manufacture at one time for use by one printer, converter or consumer.

(10) The term "manufacture" includes all making and finishing operations prior to packaging or packing, including pasting whether by a primary manufacturer or otherwise.

(11) "Person" means any individual, partnership, association, or other form of enterprise, including within one "person" all affiliates, subsidiaries, individuals, corporations, partnerships, or other form of enterprise subject to a common executive or operating management or with a common sales organization.

(b) *Identification of the papers subject to this schedule.* It shall be the duty of each person who manufactures paper to determine in the first instance, but subject to review and official classification by the War Production Board at any time thereafter, under which caption of the Appendix, if any, belongs each of the "fine writing papers" manufactured by him. There shall be taken into account in such determination, and in any review and reclassification by the War Production Board, the designation by which the manufacturer heretofore identified or distributed the paper in question, the common designation in the paper trade of similar papers selling within the same general price range as the paper in question, and the common designation in the paper trade of papers possessing the same general physical characteristics, manufactured by the same general processes, or commonly distributed and used for the same general uses as the paper in question. If a manufacturer is uncertain as to the proper caption under which to classify a

particular kind of "fine writing paper," or whether a particular kind of paper is such a paper at all or belongs under any caption of the Appendix to this schedule, he may apply to the War Production Board, in writing, for an official classification of such paper, submitting with his application representative samples of the grade or grades in which he manufactures such paper, a full explanation of the processes by which he manufactures the same, the designation by which he has heretofore identified or distributed the same, the general uses for which it is intended, the general price range within which it is sold, and the types of papers with which it chiefly competes, and a full explanation of the reasons for his uncertainty. The War Production Board may on its own motion review a manufacturer's classification and substitute therefor an official classification. In any event, an official classification by the War Production Board by telegram or notice in writing sent to the manufacturer shall, unless and until the War Production Board shall amend or revise the same by telegram or notice in writing sent to the manufacturer, be conclusive.

(c) *Selection of grades for regular manufacture.* Each person who manufactures any kind of "fine writing paper" shall with respect to each such kind he manufactures, select such "grade" or "grades" thereof (if such selection is indicated under the appropriate caption and has not already been reported by him to the War Production Board) not to exceed the number specified in A (1) of the appropriate caption of the Appendix below, as he may desire to adopt for regular manufacture, and shall immediately notify the War Production Board of such selection on Form WPB 1295 (formerly PD-589). The manufacturer may thereafter apply to the War Production Board for leave to amend the original selection, but unless and until such leave is granted by the War Production Board in writing the original selection shall remain binding. Each person who regularly manufactures any Extra 100 percent rag content grade of any kind of "fine writing paper" shall notify, as above, the War Production Board thereof on Form WPB 1295 (formerly PD-589), stating, in addition, in what respect each such grade differs from his standard 100 percent rag grade, and submitting with his statement representative samples of each such grade and a list of sizes, weights and colors regularly manufactured.

(d) *Selection of colors for regular manufacture.* If by the terms of A (2) under the appropriate caption of the Appendix below a manufacturer is permitted, with respect to a particular grade of a kind of "fine writing paper", to select a number of colors each person desiring to manufacture such grade in colors (and such selection is indicated and has not already been reported by him to the War Production Board), shall immediately select therefor such particular colors, not to exceed the number indicated in A (2) of the appropriate caption, as he may desire to adopt for regular manufacture, and shall immediately notify the War

Production Board of such selection on Form WPB 1295 (formerly PD-589). The manufacturer may thereafter apply to the War Production Board for leave to amend the original selection, but unless and until such leave is granted by the War Production Board in writing the original selection shall remain binding.

(e) *General limitations.* No person shall manufacture any kind of "fine writing paper" in any grade, color, basis weight, or size other than those specified or selected as standard under A of the appropriate caption of the Appendix (where such standards are specified or selected under A of the appropriate caption), or contrary to any other provision under the appropriate caption. This general rule is, however, subject to the following exceptions:

(1) Tolerances and variations are permitted to the extent provided in paragraph (f).

(2) Cutting and slitting to various sizes are permitted to the extent provided in paragraph (g).

(3) Special provision is made for "jobs" and "seconds" in paragraph (h).

(4) Special provision is made for export orders in paragraph (i).

(5) Exceptions are made for "special making orders" under certain captions of the Appendix. However, regardless of these exceptions where special making orders are so permitted under any caption, the basis weight or thickness must not exceed the heaviest standard basis weight or thickness permitted under A of such caption.

(6) Paper or paperboard in process of manufacture on September 1, 1943, and conforming to the requirements of this order prior to the amendment effective that date, may be completed otherwise than by pasting.

(7) Paper or paperboard may be manufactured in any basis weight or thickness permitted for a particular use by this or any subsequent order, provided the basis weight or thickness does not exceed the maximum specified by the War Production Board for such use, and provided all other provisions of this or such subsequent order are fully complied with.

(f) *Tolerances and variations.* The prohibitions and restrictions of this revised schedule are subject to the normal tolerances customary in the manufacture of the kind of "fine writing papers" under each caption and to the normal variations in quantity manufactured customarily acceptable in the paper trade. Nothing in this revised schedule shall restrict the remaking, because of faulty manufacture or excessive underrun, of all or any part of a "special making order" accepted in good faith for manufacture in accordance with the terms of this revised schedule.

(g) *Cutting and slitting.* Nothing in this revised schedule shall restrict the cutting of any sheet size to sizes of which the parent size is a multiple, provided the parent size is manufactured in accordance with the provisions of this re-

vised schedule, nor restrict the slitting to fractional width rolls of any parent roll size manufactured in accordance with the provisions of this revised schedule on an order for rolls; however, a special sheet size may not be cut from a standard or special roll size except in a quantity and under the conditions, if any, applying to a "special size" under B of the appropriate caption in the Appendix below.

(h) *Jobs and seconds.* Nothing in this revised schedule shall restrict the sale of "job lots" or "seconds", resulting from faulty manufacture or overruns customarily unacceptable to the buyer, which occur during a bona-fide attempt to manufacture "fine writing paper" according to the terms of this revised schedule, provided that the manufacturer clearly informs the purchaser that such paper is a "job lot" or "seconds" and so indicates on each package.

(i) *Exception for export.* Regardless of the foregoing provisions of this revised schedule and of the provisions of Limitation Order L-120, a person may manufacture for export (but may not without permission in writing by the War Production Board sell in the domestic market) any kind of "fine writing paper" in any size or substance weight required, regardless of quantity, provided all other provisions of this schedule are complied with and (if the substance weight or thickness is greater than permitted by this schedule) such person has received permission in writing from the War Production Board to manufacture the particular order in question in such greater substance weight or thickness; and further, bonds, ledgers and writings may be manufactured with any percent of rag content specified by any foreign government to fill a special making order for such government.

(j) *Records and Reports*—(1) *Standard samples.* Each person who manufactures any kind of "fine writing paper" shall keep, readily available for inspection by the War Production Board, representative samples of each standard grade and each standard color of such grade selected by him under A (1) and A (2) of the appropriate caption.

(2) *Special making orders.* On and after September 1, 1943, each person who manufactures any "special making order" permitted under B of the appropriate caption of the Appendix below shall require from the buyer a statement to the effect that such order is purchased for use by one printer, converter or consumer, shall keep such statement, together with a complete record of such order, readily available for inspection by the War Production Board, and shall submit reports of such orders to the War Production Board as it may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(3) *Export orders.* On and after September 1, 1943, each person who manufactures "fine writing paper" for export shall require from the buyer a statement on his purchase order to the effect

that such paper is purchased for export and, in the case of a foreign government that such paper is purchased for such government, shall keep such statement, together with a complete record of the order against which such paper is manufactured readily available for inspection by the War Production Board, and shall submit reports of such orders to the War Production Board as it may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Note: The reporting requirements of WPB 1295 (formerly PD-589) have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 23d day of October 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX—FINE WRITING PAPERS

RAG CONTENT BOND PAPERS

A. *Grades, colors, weights and sizes for regular manufacture:*

(1) *Standard grades.* Any or all of the five following, selected in accordance with (c) of the foregoing Schedule:

25 percent rag content.
50 percent rag content.
75 percent rag content.
100 percent rag content.

Extra 100 percent rag content.

(2) *Standard colors.* White and Ivory and six other colors, selected according to paragraph (d) of the foregoing Schedule.

(3) *Standard weights* (per 500 sheets 17" x 22"): for Extra 100%, 100% and 75% rag content: substance weights 11, 13, 16, 20; for all other grades: substance weights 11, 13, 16; and, if for use in manufacturing envelopes, substance weight 20; or for use as a protective paper or for checks, or for use on an addressing machine substance weights 20 and 24, provided that, before the sale thereof for any one of such uses, the manufacturer shall require from the buyer a statement that the order is for such particular use. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

(4) *Standard sizes (in inches):*

For White and Ivory

Sheets. 17 x 22, 17 x 28, 19 x 24, 22 x 34, 24 x 38, 28 x 34, 34 x 44.

Rolls. None permitted as standard.

For Other Colors

Sheets. 17 x 22, 17 x 28, 19 x 24, 22 x 34, 24 x 38, 28 x 34.

Rolls. None permitted as standard.

Typewriter sizes may be made, if no larger than 8 1/2 x 14 and no smaller than 7 1/4 x 10 1/2.

(5) *Standard Watermarks:* A laid mark, or any mill watermarks used to identify standard mill grades; none otherwise.

(6) *No restriction as to finish.*

(7) *Extra 100 percent rag content:* if selected, unrestricted in any respect except as to maximum weight permitted and except for the report required by paragraph (c) of the foregoing schedule.

B. *Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule:*

(1) *Special Grades:* A person may manufacture any grade listed in A (1) above, whether or not selected by him, in White or in any color and size to fill a special making

order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 5,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 5,000 pounds; and

(c) The quantity of each standard size is at least 1,000 pounds and the quantity of each special size is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 2,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any watermark or watermarks (name or design) is at least 2,000 pounds of a standard grade, standard color or White and standard weight, or in a special color in the quantity provided for under Exception (2) above; and

(b) The quantity of each standard sheet size is at least 1,000 pounds, and the quantity of each special sheet size is at least 2,000 pounds, or the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 2,000 pounds of continuous manufacture under one dandy roll without changing a mark.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a rag content bond paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or White, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

RAG CONTENT LEDGER PAPERS

A. Grades, Colors, Weights, and Sizes for regular manufacture:

(1) Standard Grades: Not more than four of the following, selected according to Paragraph (c) of the foregoing Schedule:

25 percent rag content

50 percent rag content

75 percent rag content

85 percent rag content

100 percent rag content

and in addition to the four selected, Extra 100 percent rag content.

(2) Standard Colors: White and Blue, Buff and Green—White tint only.

(3) Standard Weights (per 500 sheets 17" x 22"): for Extra 100% and 100% rag content: Substance weights 24, 28, 32 and 36; for all other grades: Substance weights 24, 28.

(4) Standard Sizes (In inches):

White and Colors

Sheets: 17 x 22, 17 x 28, 19 x 24, 22 1/2 x 22 1/2, 22 x 34, 24 x 38, 28 x 34.

Rolls: None permitted as standard.

(5) Standard Watermarks: A laid mark, or any mill watermarks used to identify standard mill grades; none otherwise.

(6) No restriction as to finish.

(7) Extra 100 percent rag content: If selected, unrestricted in any respect except as to maximum weight permitted and except for the report required by paragraph (c) of the foregoing schedule.

B. Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule:

(1) Special Grades: A person may manufacture any grade listed in A (1) above, whether or not selected by him, in White or in any color and size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 5,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 5,000 pounds; and

(c) The quantity of each standard size is at least 1,000 pounds and the quantity of each special size is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 2,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any watermark or watermarks (name or design) is at least 2,000 pounds of a standard grade, standard color or White and standard weight, or in a special color in the quantity provided for under Exception (2) above; and

(b) The quantity of each standard sheet size is at least 1,000 pounds, and the quantity of each special sheet size is at least 2,000 pounds, or the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 2,000 pounds of continuous manufacture under one dandy roll without changing a mark.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Rag Content Ledger Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or White, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

RAG CONTENT LOOSE LEAF LEDGER PAPERS (Including Machine Posting Ledger Papers)

A. Grades, Colors, Weights, and Sizes for regular manufacture:

(1) Standard Grades: Not more than four of the following, selected according to Paragraph (c) of the foregoing schedule:

25 percent rag content

50 percent rag content

75 percent rag content

85 percent rag content

100 percent rag content

and in addition to the four selected, Extra 100 percent rag content.

(2) Standard Colors: White, and six colors, selected according to paragraph (d) of the foregoing Schedule.

(3) Standard Weights (per 500 sheets 17" x 22"): for Extra 100% and 100% rag content: Substance weights 24, 28, 32 and 36; for all other grades: Substance weights, 24, 28.

(4) Standard Sizes (In inches):

White and Colors

Sheets: 17 1/2 x 22 1/2, 19 1/2 x 24 1/2, 22 1/2 x 22 1/2, 22 1/2 x 28 1/2, 22 1/2 x 35, 24 1/2 x 24 1/2, 24 1/2 x 28 1/2, 24 1/2 x 39.

Rolls: None permitted as standard.

(5) Standard Watermarks: A laid mark, or any mill watermarks used to identify standard mill grades; none otherwise.

(6) No restriction as to finish.

(7) Extra 100 percent rag content: if selected, unrestricted in any respect except as to maximum weight permitted and except for the report required by paragraph (c) of the foregoing schedule.

B. Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule:

(1) Special Grades: A person may manufacture any grade listed in A (1) above, whether or not selected by him, in White or in any color and size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 5,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 5,000 pounds; and

(c) The quantity of each standard size is at least 1,000 pounds and the quantity of each special size is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 2,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any watermark or watermarks (name or design) is at least 2,000 pounds of a standard grade, standard color or White and standard weight, or in a special color in the quantity provided for under Exception (2) above; and

(b) The quantity of each standard sheet size is at least 1,000 pounds, and the quantity of each special sheet size is at least 2,000 pounds, or the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 2,000 pounds of continuous manufacture under one dandy roll without changing a mark.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Rag Content Loose Leaf Ledger Paper or Machine Posting Ledger Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or White, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

RAG CONTENT WRITING PAPERS (Including Linens)

A. Grades, Colors, Weights, and Sizes for regular manufacture:

(1) Standard Grades: Any or all of the following three, selected according to Paragraph (c) of the foregoing schedule:

25 percent rag content

50 percent rag content

100 percent rag content

(2) Standard Colors: White, and ivory and three other colors selected according to paragraph (d) of the foregoing schedule.

(3) Standard weights (per 500 sheets 17" x 22"): for 100% rag content: substance

weights 18, 16, 20; for other grades: substance weights 18, 16; and, if for use in manufacturing envelopes, substance weight 20; or if for use as a protective paper or for checks, substance weights 20 and 24 for all grades; provided that, before the sale thereof for any one of such uses, the manufacturer shall require from the buyer on the purchase order, a statement that the order is for such particular use. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

(4) Standard Sizes (in inches):

White and Colors

Sheets: 17 x 22, 17 x 28, 19 x 24, 22 x 34.
Rolls: None permitted as standard.

(5) Standard Watermarks: A laid mark, or any mill watermark used to identify standard mill grades; none otherwise.

(6) No restriction as to finish.

B. *Exceptions for "special making orders"* as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 5,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 5,000 pounds; and

(c) The quantity of each standard size is at least 1,000 pounds and the quantity of each special size is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 2,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any watermark or watermarks (name or design) is at least 2,000 pounds of a standard grade, standard color or White and standard weight, or in a special color in the quantity provided for under Exception (2) above; and

(b) The quantity of each standard sheet size is at least 1,000 pounds, and the quantity of each special sheet size is at least 2,000 pounds, or the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 2,000 pounds of continuous manufacture under one dandy roll without changing a mark.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Rag Content Writing Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or White, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

RAG CONTENT ONION SKIN PAPERS
(Including Manifold Papers)

A. Grades, Colors, Weights, and Sizes for regular manufacture:

(1) Standard Grades: Any or all of the three following, selected in accordance with (c) of the foregoing schedule.

25 percent rag content.
75 percent rag content (White only).
100 percent rag content.

(2) Standard Colors: White and six colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard Weights (per 500 sheets 17" x 22"): Substance Weights 7 to 9 inclusive.

(4) Standard Sizes (in inches):

For White

Sheets: 21 x 32, 22 x 34, 24 x 38, 26 x 34, 28 x 34.

Rolls: None permitted as standard.

For Colors

Sheets: 22 x 34, 24 x 38, 28 x 34.

Rolls: None permitted as standard.

Typewriter sizes may be made, if no larger than 8 1/2 x 14 and no smaller than 7 1/4 x 10 1/2.

5. Standard Watermarks: A laid mark, or any mill watermark used to identify standard mill grades; none otherwise.

(6) No restriction as to finish.

B. *Exceptions for "special making orders"* as defined in (a) (9) of the foregoing schedule:

(1) Special Grades: Any person may manufacture any grade listed in A (1) above, whether or not selected by him, and in addition 50 percent rag content, in White or in any color and size, to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 5,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 5,000 pounds; and

(c) The quantity of each item is at least 500 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 500 pounds of a sheet size or at least 500 pounds of a roll width:

(a) In a standard grade, standard color or White, standard weight and one finish; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any watermark or watermarks (name or design) is at least 1,000 pounds of a standard grade, standard color or White and standard weight, or in a special color in the quantity provided for under Exception (2) above; and

(b) The quantity of each item is at least 500 pounds; and

(c) There is at least 1,000 pounds of continuous manufacture under one dandy roll without changing a mark.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Rag Content Onion Skin Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided

such paper is manufactured in a standard grade, standard color or White, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

RAG CONTENT WEDDING PAPERS

(Including Wedding Bristols)

A. Grades, Colors, Weights, and Sizes for regular manufacture:

(1) Standard Grades: Not more than three, selected (by percentage of rag content) according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White, and Ivory only.

(3) Standard weights (per 500 sheets): substance weights (17" x 22")—20, 24; substance weights (22 1/2" x 28 1/2") 100 and 120.

NOTE: The sentence, "Pasted weights may be supplied in multiples of standard weights" revoked August 28, 1943.

(4) Standard Sizes (in inches):

For White

Sheets: 22 x 34, 22 1/2 x 28 1/2.

Rolls: None permitted as standard.

For Ivory

Sheets: 22 x 34.

Rolls: None permitted as standard.

(5) Standard Watermarks: A laid mark, or any mill watermark used to identify standard mill grades; none otherwise.

(6) No restriction as to finish.

(7) Extra 100 percent rag content; if selected, unrestricted in any respect except as to maximum weights permitted and except for the report required by paragraph (c) of the foregoing schedule.

B. *Exceptions for "special making orders"* as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 5,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 5,000 pounds; and

(c) The quantity of each standard size is at least 1,000 pounds and the quantity of each special size is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 2,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any watermark or watermarks (name or design) is at least 2,000 pounds of a standard grade, standard color or White and standard weight, or in a special color in the quantity provided for under Exception (2) above; and

(b) The quantity of each standard sheet size is at least 1,000 pounds, and the quantity of each special sheet size is at least 2,000 pounds, or the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 2,000 pounds of continuous manufacture under one dandy roll without changing a mark.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Rag Content Wedding Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or White, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

RAG CONTENT INDEX

A. Grades, Colors, Weights, and Sizes for regular manufacture:

(1) Standard Grades: Not more than four of the following, selected according to paragraph (c) of the foregoing schedule.

25 percent rag content.

50 percent rag content.

75 percent rag content.

100 percent rag content.

Extra 100 percent rag content.

(2) Standard Colors: White, and six colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard Weights (per 500 sheets 25½" x 30½"): Substance weights 90, 110, 140.

(4) Standard Sizes (in inches):

White and Colors

Sheets: 20½ x 24¾, 25½ x 30½.

Rolls: None permitted as standard.

(5) No restrictions as to finish.

(6) Extra 100 percent rag content: if selected, unrestricted in any respect except as to maximum weight permitted and except for the report required by paragraph (c) of the foregoing schedule.

B. Exceptions for "Special Making Orders" as defined in (a) (9) of the foregoing schedule:

(1) Special Grades: A person may manufacture any grade listed in A (1) above, whether or not selected by him, in White or in any color and size to fill a special making order for the United States Government in a standard substance weight.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 5,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 5,000 pounds; and

(c) The quantity of each standard size is at least 1,000 pounds in one standard grade; and the quantity of each special size is at least 2,000 pounds.

(3) Special Weights: None permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 2,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exceptions (2) and (3) above.

BASE STOCK FOR BLUEPRINT AND DIRECT LINE PAPERS

A. Grades, Colors, Weights, and Sizes for regular manufacture:

(1) Standard Grades: Any or all of the four following, selected in accordance with (c) of the foregoing schedule.

100 percent rag content.
50 percent rag content.
25 percent rag content.
No rag content.

(2) Standard Colors: No restrictions.

(3) Standard Weights (per 500 sheets 17" x 22"): 100 percent rag content: substance weights 17, 20½ and 24; for all other grades: substance weights 17 and 20½.

(4) Standard Sizes:

Rolls only: 24, 30, 36, 42, 48, and 54 inches wide.

B. Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule:

(1) Special Grades: Variations only because of different treatment in the beater or on the paper machine, or the use of different non-fibrous materials shall not be considered as resulting in a different grade.

(2) No Special Weights permitted.

(3) Special Width Rolls may be manufactured to fill a special making order in a quantity of 10,000 pounds, in a standard grade, in one shade and standard weight.

BASE STOCK FOR NEGATIVE PAPERS

A. Grades, Colors, Weights, and Sizes for regular manufacture:

(1) Standard Grades: Only the one following, if selected in accordance with (c) of the foregoing schedule: 100 percent rag content.

(2) Standard Colors: No restrictions.

(3) Standard Weights (per 500 sheets 17" x 22"): Substance weight 14.

(4) Standard Sizes:

Rolls only: 24, 30, 36, 42, 48, and 54 inches wide.

B. Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule:

(1) Special Grades: Variations only because of different treatment in the beater or on the paper machine, or the use of different non-fibrous materials shall not be considered as resulting in a different grade.

(2) No Special Weights permitted.

(3) Special Width Rolls may be manufactured to fill a special making order in a quantity of 10,000 pounds, in a standard grade, in one shade and standard weight.

RAG CONTENT ANTIQUE (MACHINE FINISH) COVER PAPERS

(Excluding Manuscript Covers)

A. Grades, Colors, Weights, and Sizes for regular manufacture:

(1) Standard Grades: Not more than two, selected (by percentage of rag content) according to paragraph (d) of the foregoing schedule.

(2) Standard Colors: White, and six colors in addition to either Ivory or India; or five colors in addition to Ivory and India, selected according to paragraph (c) of the foregoing schedule.

(3) Standard Weights: (per 500 sheets 20" x 26"): Substance weights 50, 65.

(4) Standard Sizes (in inches):

White and Colors

Sheets: 20 x 26, 23 x 35, 26 x 40.

Rolls: None permitted as standard.

(5) Any secondary finish may be applied to any item conforming to the other conditions of this caption.

B. Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured to fill a special making order: *Provided, That:*

(a) The quantity of each special color is at least 5,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 5,000 pounds; and

(c) The quantity of each standard size is at least 1,000 pounds and the quantity of each special size is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 2,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

CHEMICAL WOOD PULP ANTIQUE (MACHINE FINISH) COVER PAPERS

(Including Ground Wood Content Cover Papers but Excluding Manuscript Covers)

A. Grades, Colors, Weights, and Sizes for regular manufacture:

(1) Standard Grades:

Chemical Wood Pulp: Not more than two; Ground Wood Content: Not more than one;

selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White, and six colors in addition to either Ivory or India; or five colors in addition to Ivory and India; selected according to paragraph (d) of the foregoing schedule.

(3) Standard Weights (per 500 sheets 20" x 26"): Chemical Wood Pulp: Substance Weights 50, 65.

Ground Wood Content: Substance Weights 50, 65.

(4) Standard Sizes (in inches):

White and Colors

Sheets: 20 x 26, 23 x 35, 26 x 40.

Rolls: None permitted as standard.

(5) Any secondary finish may be applied to any item conforming to the other conditions of this caption.

B. Exceptions for "special making orders" (as defined in (a) (9) of the foregoing schedule):

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 5,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 5,000 pounds; and

(c) The quantity of each standard size is at least 1,000 pounds and the quantity of each special size is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 2,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

SPECIALTY COVER PAPERS

(Fancy Coated, Embossed or Decorative Specialty Covers, and including "S. and S. C. Cover")

A. Grades, Colors, Weights, and Sizes for regular manufacture:

(1) Standard Grades: With respect to each manufacturer, any grade or grades regularly stocked as an established cover line as of December 1, 1941, selected in accordance with paragraph (c) of the foregoing schedule.

(2) Standard Colors: White, and six colors in addition to Ivory or India or five colors in addition to Ivory and India, selected according to paragraph (c) of the foregoing schedule.

(3) Standard Weights: With respect to each manufacturer and each standard grade under A (1), any weight, not exceeding 25" x 38"—70 for "S. and S. C. Cover" or 20" x 26"—65 for other grades, regularly stocked as of December 1, 1941, such weight or weights to be reported, if not already reported, to the War Production Board as standard for each such grade; however a manufacturer whose standard basis weight, or weights, is heavier than basis weight 20" x 26"—65 for a particular grade may substitute in such grade basis weights 65# or any lower basis weight for such higher weight by notifying the War Production Board of such change in his standards, and thereafter such substituted basis weight shall be standard for him for such grade. In a soilproof, grease or moisture resistant coated cover line which has been manufactured in a basis weight heavier than 20" x 26"—65 the manufacturer may substitute, in place of the basis weight 20" x 26"—65 or lower weight, a weight which results from coating a 20" x 26"—65# raw stock. The notification as described above is required before such substitution shall take place.

(4) Standard Sizes: With respect to each manufacturer and each standard grade under A (1), any size regularly stocked as of December 1, 1941, such size or sizes to be reported to the War Production Board, as standard for each such grade.

B. Exceptions for "special making orders" (as defined in (a) (9) of the foregoing schedule):

(1) Any Grade of Specialty Cover Papers may be manufactured by any person to fill a special making order, provided that:

(a) The quantity of such grade is at least 5,000 pounds, all in either White or any one color and finish; and

(b) The quantity of each permitted substance weight is at least 5,000 pounds; and

(c) The quantity of each item is at least 2,000 pounds; and

(d) Such person can show that such grade was manufactured by some person prior to December 1, 1941.

(2) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 2,000 pounds of an item in a standard grade, standard color or White and standard weight.

CHEMICAL WOOD PULP BOND PAPERS

A. Grades, Colors, Weights, and Sizes for regular manufacture.

(1) Standard Grades: Not more than three, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White, and Ivory and six other colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard Weights: (per 500 sheets 17" x 22"): Substance weights 13, 16; and, if for use in manufacturing envelopes, substance weight 20; or if for use as a protective paper or for checks, or for use on an addressing machine, substance weights 20 and 24; provided that, before the sale thereof for any one of such uses, the manufacturer shall require from the buyer a statement that the order is for such particular use. The manufacturer shall keep such statement, together

with a complete record of the order, readily available for inspection by the War Production Board.

(4) Standard Sizes (in inches):

For White and Ivory

Sheets: 17 x 22, 17 x 28, 19 x 24, 22 x 34, 24 x 38, 28 x 34, 34 x 44.

Rolls: None permitted as standard.

For Other Colors

Sheets: 17 x 22, 17 x 28, 19 x 24, 22 x 34, 24 x 38, 28 x 34.

Rolls: None permitted as standard.

Typewriter sizes may be made, if no larger than 8 1/2 x 14 and no smaller than 7 1/4 x 10 1/2.

(5) Standard Watermarks: A laid mark, or any mill watermarks used to identify standard mill grades; none otherwise.

(6) No restriction as to finish.

B. Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 10,000 pounds; and

(c) The quantity of each standard size is at least 2,000 pounds and the quantity of each special sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any one watermark (name or design) is at least 5,000 pounds of a standard grade, standard color or White and standard weight, or in a special color in the quantities provided for under Exception (2) above; and

(b) The quantity of each standard sheet size in White or a standard color is at least 1,000 pounds, and the quantity of each special sheet size is at least 5,000 pounds, and the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 5,000 pounds of continuous manufacture under one dandy roll.

Note: The provisions applying to Special Watermarks shall not prevent the manufacture of a Chemical Wood Pulp Ledger Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or white, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

CHEMICAL WOOD PULP LEDGER PAPERS

A. Grades, Colors, Weights, and Sizes for regular manufacture:

(1) Standard Grades: Not more than three, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White only.

(3) Standard Weights (per 500 sheets 17" x 22"): Substance weights 14, 16; and, if to fill an order for the Federal Government substance weight 18; or if for use in manu-

facture Green-White tint only.

(4) Standard Sizes (in inches):

White and Colors

Sheets: 17 x 22, 17 x 28, 19 x 24, 22 x 34, 24 x 38, 28 x 34, 22 1/2 x 22 1/2, 22 1/2 x 34 1/2, 24 1/2 x 24 1/2, 24 1/2 x 39.

Rolls: None permitted as standard.

(5) Standard Watermarks: A laid mark, or any mill watermarks used to identify standard mill grades; none otherwise.

(6) No restriction as to finish.

B. Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured in white or in any color or size to fill a special making order for the United States Government provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 10,000 pounds; and

(c) The quantity of each standard size is at least 2,000 pounds and the quantity of each special sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or at least 2,000 pounds of a roll width.

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any one watermark (name or design) is at least 5,000 pounds of a standard grade, standard color or White and standard weight, or in a special color in the quantities provided for under Exception (2) above; and

(b) The quantity of each standard sheet size in White or a standard color is at least 1,000 pounds, and the quantity of each special sheet size is at least 5,000 pounds, and the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 5,000 pounds of continuous manufacture under one dandy roll.

Note: The provisions applying to Special Watermarks shall not prevent the manufacture of a Chemical Wood Pulp Ledger Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or white, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

CHEMICAL WOOD PULP WRITING PAPERS

(Wove or Laid)

A. Grades, Colors, Weights, and Sizes for regular manufacture:

(1) Standard Grades: Not more than two, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White only.

(3) Standard Weights (per 500 sheets 17" x 22"): Substance weights 14, 16; and, if to fill an order for the Federal Government substance weight 18; or if for use in manu-

facturing envelopes, substance weight 20; or if for use as a protective paper or for checks, substance weights 20 and 24; provided that before the sale thereof for any one of such uses, the manufacturer shall require from the buyer a statement that the order is for such particular use. The manufacturer such keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

(4) Standard Sizes (in inches):

Sheets: 17 x 22, 17 x 28, 19 x 24, 22 x 34, 24 x 38, 28 x 34.

Rolls: None permitted as standard.

(5) Standard Watermarks: Any mill watermark if used to identify standard mill grades; none otherwise.

(6) No restriction as to finish.

B. *Exceptions for "special making orders"* as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 10,000 pounds; and

(c) The quantity of each standard size is at least 2,000 pounds and the quantity of each special sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any one watermark (name or design) is at least 5,000 pounds of a standard grade, White and standard weight; or in a special color in the quantities provided for under Exception (2) above; and

(b) The quantity of each standard sheet size in White is at least 1,000 pounds, and the quantity of each special sheet size is at least 5,000 pounds, and the quantity of each roll width is at least 2,000 pounds; and

(6) There is at least 5,000 pounds of continuous manufacture under one dandy roll.

Note: The provisions applying to Special Watermarks shall not prevent the manufacture of a Chemical Wood Pulp Writing Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, White, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

REGISTER, CONTINUOUS FORM, AND SALES BOOK
CHEMICAL WOOD PULP BOND PAPERS

A. *Grades, Colors, Weights and Sizes for regular manufacture and to be distributed only to fill a special making order or orders as defined in (a) (viii) in the foregoing schedule:*

(1) Standard Grades: Not more than one, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White and five colors selected according to paragraph (d) of the foregoing schedule.

(3) Standard Weights (per 500 sheets 17" x 22"): Substance weights 10, 12, 15.

(4) Standard Sizes: Any size, sheet or roll, if manufactured in a quantity of at least 5,000 pounds of a sheet item or 2,000 pounds of a roll item.

(5) Standard Watermarks: None permitted.

B. *Exceptions for "special making orders"* as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 10,000 pounds; and

(c) The quantity of each sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) Special Sizes: Only as permitted under A (4) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any one watermark (name or design) is at least 5,000 pounds of a standard grade, standard color or White and standard weight; or in a special color in the quantities provided for under Exception (2) above; and

(b) The quantity of each sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

CHEMICAL WOOD PULP MANIFOLD PAPERS

(Including Onion Skin Papers)

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: Not more than three, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White and six colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard Weights (per 500 sheets 17" x 22"): Substance weights 7 to 9 inclusive.

(4) Standard Sizes (in inches):

White

Sheets: 21 x 32, 22 x 34, 24 x 38, 26 x 34, 28 x 34.

Rolls: None permitted as standard.

Colors

Sheets: 22 x 34, 24 x 38, 28 x 34.

Rolls: None permitted at standard.

Typewriter sizes may be made, if no larger than 8 1/2 x 14 and no smaller than 7 1/4 x 10 1/2.

(5) Standard Watermarks: Any laid mark, or any mill watermarks used to identify standard mill grades; none otherwise.

(6) No restriction as to finish.

B. *Exceptions for "special making orders"* as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 5,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 5,000 pounds; and

(c) The quantity of each item is at least 1,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 1,000 pounds of a sheet size or at least 1,000 pounds of a roll width:

(a) In a standard grade, standard color or white, and standard weight and one finish; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any one watermark (name or design) is at least 2,000 pounds of a standard grade, standard color or White and standard weight; or in a special color in the quantities provided for under Exception (2) above; and

(b) The quantity of each item is at least 1,000 pounds; and

(c) There is at least 2,000 pounds of continuous manufacture under one dandy roll.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Chemical Wood Pulp Manifold Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or White, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

CHEMICAL WOOD PULP MIMEOGRAPH PAPERS

(Including rag content mimeograph)

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: Not more than two, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White, and six colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard Weights (per 500 sheets 17" x 22"): Substance weights 16 and 18.

(4) Standard Sizes (in inches):

White and Colors

Sheets: 17 x 22, 17 x 28, 22 x 34, 28 x 34.

Rolls: None permitted as standard.

Typewriter sizes may be made, if no larger than 8 1/2 x 14 and no smaller than 7 1/4 x 10 1/2.

(5) Standard Watermarks: A laid mark, or any mill watermarks used to identify standard mill grades; none otherwise.

B. *Exceptions for "special making orders"* as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 10,000 pounds; and

(c) The quantity of each standard size is at least 2,000 pounds and the quantity of each special sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

(3) Special Weights: None permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of

a sheet size or at least 2,000 pounds of a roll width:

- (a) In a standard grade, standard color or White and standard weight; or
- (b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any one watermark (name or design) is at least 5,000 pounds of a standard grade, standard color or White and standard weight, or in a special color in the quantities provided for under Exception (2) above; and

(b) The quantity of each standard sheet size in White or a standard color is at least 1,000 pounds, and the quantity of each special sheet size is at least 5,000 pounds, and the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 5,000 pounds of continuous manufacture under one dandy roll.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Rag Content or Chemical Wood Pulp Mimeograph Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or White, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

GELATIN AND SPIRIT PROCESSES

BAG CONTENT AND WOOD PULP DUPLICATING PAPERS

A. Grades, Colors, Weights, and Sizes for regular manufacture:

(1) Standard Grades: Gelatin Process—Not more than two; Spirit Process—Not more than two; selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White, and six colors selected according to paragraph (d) of the foregoing schedule.

(3) Standard Weights (per 500 sheets 17" x 22"): For White: Substance weights 18, 16, and 20. For colors: Substance weights 16 and 20. Substance weight 24 in white or colors, if coated (raw stock not to exceed substance weight 20).

(4) Standard Sizes (in inches):

White and Colors

Sheets: 17 x 22, 17 x 28, 19 x 24, 22 x 24, 24 x 38, 28 x 34.

Rolls: None permitted as standard.

Typewriter sizes may be made, if no larger than 8 1/2 x 14 and no smaller than 7 1/4 x 10 1/2.

(5) Standard Watermarks: Any mill watermarks used to identify standard mill grades; none otherwise.

B. Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 10,000 pounds; and

(c) The quantity of each standard size is at least 2,000 pounds and the quantity of each special sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

(8) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

- (a) In a standard grade, standard color or White and standard weight; or
- (b) In a special color in the quantities provided for under exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any one watermark (name or design) is at least 5,000 pounds of a standard grade, standard color or White and standard weight, or in a special color in the quantities provided for under Exception (2) above; and

(b) The quantity of each standard sheet size in White or a standard color is at least 1,000 pounds, and the quantity of each special sheet size is at least 5,000 pounds, and the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 5,000 pounds of continuous manufacture under one dandy roll.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Chemical Wood Pulp Opaque Circular Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, White, standard weight and standard size, and in the quantities required above for a special watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any one watermark (name or design) is at least 5,000 pounds of a standard grade, White and a standard weight, or in a special color in the quantities provided for under Exception (2) above; and

(b) The quantity of each standard sheet size in White is at least 1,000 pounds, and the quantity of each special sheet size is at least 5,000 pounds, and the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 5,000 pounds of continuous manufacture under one dandy roll.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Chemical Wood Pulp Opaque Circular Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, White, standard weight and standard size, and in the quantities required above for a special watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

CHEMICAL WOOD PULP VELLUM AND WEDDING PAPERS

A. Grades, Colors, Weights, and Sizes for regular manufacture:

(1) Standard Grades: Not more than two, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White, and Ivory, Granite and six other colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard weights (per 500 sheets in the size indicated): White 22" x 34"-40, 48; White 35" x 45"-84 and 101; White 22 1/2" x 28 1/2"-100, 120, Colors: 22" x 34"-40, 48; 35" x 45"-84 and 101.

(4) Standard Sizes (in inches) for the weights indicated above:

White

Sheets: 22 x 34, 35 x 45, 22 1/2 x 28 1/2. Rolls: None permitted as standard.

Colors

Sheets: 22 x 34, 35 x 45.

Rolls: None permitted as standard.

(5) Standard Watermarks: Any mill watermarks used to identify standard mill grades; none otherwise.

(6) Standard Finishes: Any vellum primary finish and any secondary finish; none otherwise.

B. Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 10,000 pounds; and

(c) The quantity of each standard size is at least 2,000 pounds and the quantity of each special sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 5,000 pounds

of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or
(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any one watermark (name or design) is at least 5,000 pounds of a standard grade, standard color or White and standard weight; or in a special color in the quantities provided for under Exception (2) above; and

(b) The quantity of each standard sheet size in White or a standard color is at least 1,000 pounds, and the quantity of each special sheet size is at least 5,000 pounds, and the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 5,000 pounds of continuous manufacture under one dandy roll.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of Chemical Wood Pulp Vellum and Wedding Papers for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or White, standard weight and standard size, and in the quantities required above for a special watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

(6) Deckle Edges: Papers under this caption may be manufactured deckle edge to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or a roll width:

(a) In a standard grade, standard color or White, standard weight and a primary finish; or

(b) In a special color in a quantity of at least 20,000 pounds in one standard grade; provided that:

(i) the quantity of each standard weight is at least 10,000 pounds; and
(ii) the quantity of each item is at least 5,000 pounds.

CONVERTING GRADES OF PAPETERIE AND GREETING CARD PAPERS (INCLUDING ALL FURNISHES)

A. *Grades, Colors, Weights and Sizes for regular manufacture and to be distributed only to fill a special making order or orders as defined in (a) (9) of the foregoing schedule:*

(1) Standard Grades: Not more than three, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White, and Ivory and six other colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard Weights (per 500 sheets 17" x 22"): Substance weights: 16, 20, 24.

(4) Standard Sizes: Any size, sheet or roll, if manufactured in a quantity of at least 5,000 pounds of a sheet item or 2,000 pounds of a roll item.

(5) Standard Watermarks: No laid or other watermark permitted.

(6) No restriction as to finish.

B. *Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule:*

(1) A Special Grade may be manufactured in white or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 10,000 pounds; and

(c) The quantity of each sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) Special Sizes: Only as permitted under A (4) above.

(5) Any Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any one watermark (name or design) is at least 5,000 pounds of a standard grade, standard color or White and standard weight; or in a special color in the quantities provided for under Exception (2) above; and

(b) The quantity of each sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

(6) Deckle Edges: Papers under this caption may be manufactured deckle edge to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or a roll width:

(a) In a standard grade, standard color or white, standard weight and a primary finish; or

(b) In a special color in a quantity of at least 20,000 pounds in one standard grade; provided that:

(i) The quantity of each standard weight is at least 10,000 pounds; and
(ii) The quantity of each item is at least 5,000 pounds.

CHEMICAL WOOD PULP INDEX BRISTOLS

A. *Grades, Colors, Weights and Sizes for regular manufacture:*

(1) Standard Grades: Not more than three, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White and six colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard Weights (per 500 sheets 25½" x 30½"): Substance weights 90, 110, 140.

(4) Standard Sizes (in inches):

White and Colors

Sheets: 20½" x 24¾, 22½" x 28½, 25½" x 30½.

Rolls: None permitted as standard.

(5) No restriction as to finish.

B. *Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule:*

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 10,000 pounds; and

(c) The quantity of each standard size is at least 2,000 pounds and the quantity of each special sheet size is at least 5,000 pounds, and the quantity of each roll width is at least 2,000 pounds.

(3) Special Weights: None permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under exceptions (2) and (3) above.

CHEMICAL WOOD PULP PRINTING BRISTOLS

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: Not more than three, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White and six colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard Weights (per 500 sheets 22½" x 28½"):

Substance weights 90, 100, 120.

(4) Standard Sizes (in inches):

White and Colors

Sheets: 22½" x 28½.

Rolls: None permitted as standard.

(5) No restriction as to finish.

B. *Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule:*

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 10,000 pounds; and

(c) The quantity of each standard size is at least 2,000 pounds and the quantity of each special sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

GROUND WOOD CONTENT BOND PAPERS (INCLUDING WRITING PAPERS)

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: Not more than one, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White and six colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard Weights (per 500 sheets 17" x 22"):

Substance weights 13 and 16; and, if to fill an order for the Federal Government, substance weight 18; provided that before the sale thereof the manufacturer shall require from the buyer a statement that the order is for such use. The manufacturer shall keep such statement together with a complete record of the order readily available for inspection by the War Production Board.

(4) Standard Sizes (in inches):

Sheets: 17 x 22, 17 x 28, 19 x 24, 22 x 34, 24 x 38, 28 x 34.

Rolls: None permitted as standard.

Typewriter sizes may be made, if no larger than 8½ x 14 and no smaller than 7¼ x 10½.

(5) Standard Watermarks: A laid mark, or any mill watermark used to identify standard mill grades; none otherwise.

(6) No restrictions as to finish.

B. *Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule:*

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

erment, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order provided that:

(a) The quantity of each special color is at least 20,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 10,000 pounds; and

(c) The quantity of each standard size is at least 2,000 pounds and the quantity of each special sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order provided that:

(a) The quantity of paper made with any one watermark (name or design) is at least 5,000 pounds of a standard grade, standard color or White and standard weight, or in a special color in the quantities provided for under Exception (2) above; and

(b) The quantity of each standard sheet size in White or a standard color is at least 1,000 pounds, and the quantity of each special sheet size is at least 5,000 pounds, and the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 5,000 pounds of continuous manufacture under one dandy roll.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Ground Wood Content Bond Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color, or White, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

GROUND WOOD CONTENT MIMEOGRAPH PAPERS

A. Grades, Colors, Weights, and Sizes for regular manufacture:

(1) Standard Grades: No more than one, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White and six colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard Weights (per 500 sheets 17" x 22"): Substance weights 16 and 18.

(4) Standard Sizes (in inches):

Sheets: 17 x 22, 17 x 28, 22 x 34, 28 x 34.

Rolls: None permitted as standard.

Typewriter sizes may be made, if no larger than 8 1/2 x 14 and no smaller than 7 1/4 x 10 1/2.

(5) Standard Watermarks: A laid mark, or any mill watermarks used to identify standard mill grades; none otherwise.

B. Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule:

1. A Special Grade may be manufactured in White or in any color or size, to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 10,000 pounds; and

(c) The quantity of each standard size is at least 2,000 pounds and the quantity of each special sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

(3) Special Weights: None permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any one watermark (name or design) is at least 5,000 pounds of a standard grade, standard color or White and standard weight, or in a special color in the quantities provided for under Exception (2) above; and

(b) The quantity of each standard sheet size in White or a standard color is at least 1,000 pounds, and the quantity of each special sheet size is at least 5,000 pounds, and the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 5,000 pounds of continuous manufacture under one dandy roll.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Ground Wood Content Mimeograph Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or White, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

TEXT PAPERS

(Specialty, Deckle Edge, Fancy or Water Marked)

Maximum Substance Weight permitted: 25" x 38" — 60.

UNCOATED POSTCARD BRISTOL

Maximum Substance Weight permitted: 22 1/2" x 28 1/2" — 94.

MANUSCRIPT COVER

Maximum Substance Weight permitted: 18" x 31" — 40.

[F. R. Doc. 43-17229: Filed, October 23, 1943; 12:22 p. m.]

PART 3281—PULP AND PAPER

[Schedule IV as Amended Oct. 23, 1943, to Limitation Order L-120]

TABLET PAPER

§ 3281.20 Schedule IV to Limitation Order L-120—(a) Definitions. For the purposes of this schedule, including the appendix:

(1) The term "tablet paper" means the kind of paper commonly described and distributed in the paper trade by the designation "tablet paper."

(2) A "grade" means one particular quality of "tablet paper", such grade having the essential properties peculiar to such kind of paper and common to all grades within such kind, but distinguished from other such grades by a difference in the degree to which one or several of those common properties are

emphasized. However, a difference in the degree to which any such property is emphasized, due only to a difference in ash content, in sizing, or in the dyes used in the paper shall not be considered as resulting in a different grade.

(3) "Color" means any hue of the spectrum, including but not limited to ivory, india and green-white tints, and black, but not including white.

(4) The term "basis weight" means the weight of a tablet paper in pounds per 500 sheets in the size indicated in the Appendix, or the equivalent weight of 500 sheets in any other size figured proportionately to the size specified.

(5) An "item" means a quantity of paper all of which is of the same size, basis weight, grain, finish, color and grade.

(6) The term "standard" as applied to grade, color, basis weight, and size means, with respect to each manufacturer, a grade and color selected and a basis-weight and size specified under A of the appropriate caption in the Appendix below.

(7) The term "special" as applied to grade, color, basis weight, and size means, with respect to each manufacturer, any grade, color, basis weight or size that is not standard.

(8) The term "special making order" means a single order placed by a single buyer for manufacture at one time for use by one converter or consumer.

(9) The term "manufacture" includes all making and finishing operations prior to packaging or packing.

(10) "Person" means any individual, partnership, association, or other form of enterprise, including within one "person" all affiliates, subsidiaries, individuals, corporations, partnerships, or other forms of enterprise subject to a common executive or operating management, or with a common sales organization.

(b) Identification of the papers subject to this schedule. It shall be the duty of each person who manufactures paper to determine in the first instance, but subject to review and official classification by the War Production Board at any time thereafter, which papers manufactured by him belong under the caption "tablet paper" in the Appendix below. There shall be taken into account in such determination, and in any review and reclassification by the War Production Board, the designation by which the manufacturer heretofore identified or distributed the paper in question, the common designation in the paper trade of similar papers selling within the same general price range as the paper in question, and the common designation in the paper trade of papers possessing the same general physical characteristics, manufactured by the same general processes, or commonly distributed and used for the same general uses as the paper in question. If a manufacturer is uncertain as to whether or not a particular paper manufactured by him is such a paper he may apply to War Production Board, in writing, for an official classification of such paper, submitting with his application representative samples of the grade or grades in which he manufactures such paper, a full

explanation of the processes by which he manufactures the same, the designation by which he has heretofore identified or distributed the same, the general uses for which it is intended, the general price range within which it is sold, and the types of papers with which it chiefly competes, and a full explanation of the reasons for his uncertainty. The War Production Board may on its own motion review a manufacturer's classification and substitute therefor an official classification. In any event, an official classification by the War Production Board, by telegram or notice in writing sent to the manufacturer shall unless and until the War Production Board shall amend or revise the same by telegram or notice in writing sent to the manufacturer, be conclusive.

(c) *Selection of grades for regular manufacturer.* Each person who manufactures "tablet paper" shall select such "grade" or "grades" thereof, not to exceed the number specified in A (1) of the Appendix below, as he may desire to adopt for regular manufacture and shall immediately notify the War Production Board of such selection on Form WPB 1295 (formerly PD 589). The manufacturer may thereafter apply to the War Production Board for leave to amend the original selection, but unless and until such leave is granted by the War Production Board in writing the original selection shall remain binding.

(d) *Selection of colors for regular manufacture.* If by the terms of A (2) of the Appendix below a manufacturer is permitted, with respect to a particular grade of "tablet paper", to select a number of colors, each person desiring to manufacture such grade in colors shall immediately select therefor such particular colors, not to exceed the number indicated in A (2) of the Appendix, as he may desire to adopt for regular manufacture, and shall immediately notify the War Production Board of such selection on Form WPB 1295 (formerly PD 589). The manufacturer may thereafter apply to the War Production Board for leave to amend the original selection, but unless and until such leave is granted by the War Production Board in writing the original selection shall remain binding.

(e) *General limitations.* (1) Except to the extent and upon the conditions indicated in paragraphs (e) (2), (f), (g), (h) and (i) of this revised schedule, or under B of the Appendix below, no person shall manufacture "tablet paper" in any grade, color, basis weight or size other than those selected or specified as standard under A of the Appendix, or contrary to any other provision under A of the Appendix; nor shall a manufacturer sell tablet paper otherwise than as provided under A of the Appendix.

(2) *Exceptions to paragraph (e) (1).* Nothing in this revised schedule shall prevent the manufacture of tablet paper in any basis weight not prohibited by the provisions of this schedule as previously amended, provided such tablet paper was in process of manufacture prior to September 1, 1943; nor shall the provisions of this revised schedule pre-

vent the manufacture of tablet paper in any basis weight permitted for a particular use by this or any subsequent order, provided the basis weight does not exceed the maximum specified by the War Production Board for such use, and provided all other provisions of this or such subsequent order are fully complied with.

(f) *Tolerances and variations.* The prohibitions and restrictions of this revised schedule are subject to the normal tolerances customary in the manufacture of "tablet papers" and to the normal variations in quantity manufactured customarily acceptable in the paper trade. Nothing in this revised schedule shall restrict the remaking, because of faulty manufacture or excessive underrun, of all or any part of a "special making order" accepted in good faith for manufacture in accordance with the terms of this revised schedule.

(g) *Cutting and slitting.* Nothing in this revised schedule shall restrict the cutting of any sheet size to sizes of which the parent size is a multiple, provided the parent size is manufactured in accordance with the provisions of this revised schedule, nor restrict the slitting to fractional width rolls of any parent roll size manufactured in accordance with the provisions of this revised schedule on an order for roll paper; however, a special sheet size may not be cut from a standard or special roll size except in a quantity and under the conditions applying to a "special size" under B of the Appendix below.

(h) *Jobs and seconds.* Nothing in this revised schedule shall restrict the sale of "job lots" or "seconds", resulting from faulty manufacture of overruns customarily unacceptable to the buyer, which occur during a bona fide attempt to manufacture "tablet paper" according to the terms of this revised schedule, provided that the manufacturer clearly informs the purchaser that such paper is a "job lot" or "seconds" and so indicates on each package.

(i) *Exception for export.* Regardless of the foregoing provisions of this revised schedule and of the provisions of Limitation Order L-120, a person may manufacture for export (but may not without permission in writing from the War Production Board sell in the domestic market) any grade of "tablet paper" in any size or basis weight required, regardless of quantity, provided all other provisions of this schedule are complied with, and (if the basis weight is heavier than permitted under the appropriate caption) such person has received permission in writing from the War Production Board to manufacture the particular order in question in such heavier basis weight.

(j) *Records and reports.* (1) *Standard samples.* Each person who manufactures any grade of "tablet paper" shall keep, readily available for inspection by the War Production Board, representative samples of each standard grade and each standard color of such grade selected by him under A (1) and A (2) of the Appendix below.

(2) *Special making orders.* On and after September 1, 1943 each person who manufactures any "special making order" permitted under B of the Appendix below shall require from the buyer a statement to the effect that such order is purchased for use by one converter or consumer, shall keep such statement, together with a complete record of such order, readily available for inspection by the War Production Board, and shall submit reports of such orders to the War Production Board as it may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(3) *Export orders.* On and after September 1, 1943 each person who manufactures "tablet paper" for export shall require from the buyer a statement on his purchase order to the effect that such paper is purchased for export, shall keep such statement, together with a complete record of the order against which such paper is manufactured, readily available for inspection by the War Production Board, and shall submit reports of such orders to the War Production Board as it may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

NOTE: The reporting requirements of WPB 1295 (formerly PD 589) have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 23d day of October 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX—TABLET PAPERS

(Including all grades regardless of finish)

A. Grades, Colors, Weights, and Sizes for regular manufacture:

NOTE: "Tablet Papers" may be sold by a manufacturer only to fill individual orders, each placed by a single buyer for use by one converter or consumer.

(1) Standard Grades: Not more than two, selected according to paragraph (c) of the foregoing schedule.

(2) Standard colors: White, and two colors selected according to paragraph (d) of the foregoing schedule from the three following: Canary, Green-white tint, and Pastel Nile.

(3) Standard weights (per 500 sheets)
For Pencil Tablet—24" x 36"—32#.

For Other Grades—17" x 22"—16#.

(4) Standard Sizes: Any sheet size or roll width, if manufactured at one time, in a quantity of at least 5,000 pounds of a sheet item or at least 2,000 pounds of a roll item.

(5) Standard Watermarks: None permitted.

(6) No restrictions as to finish.

B. Exceptions for "special making orders" as defined in (a) (8) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order provided that:

(a) The quantity of such special grade is at least 40,000 pounds all in either White or

any one color, standard or special; and

(b) The quantity of each standard weight is at least 10,000 pounds and the quantity of each special weight permitted is at least 40,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order: *Provided, That:*

(a) The quantity of each such color is at least 20,000 pounds; and

(b) The quantity of each standard weight is at least 10,000 pounds and the quantity of each special weight permitted is at least 40,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A Special Weight, if in basis weight 17" x 22" - 14# may be manufactured to fill a special making order in a quantity of at least 40,000 pounds and at least 5,000 pounds of each item:

(a) In a standard grade, other than pencil tablet; or in a special grade, other than pencil tablet, in the quantities provided for under Exception (1) above; and

(b) In a standard color or White; or in a special color in the quantities provided for under Exception (2) above.

(4) Special Size: Any size may be manufactured in the quantities provided for under A (4) above.

(5) Any watermark may be used in manufacturing a special making order in a quantity of at least 20,000 pounds of continuous manufacture with one mark, provided all the other provisions of this caption are complied with.

[F. R. Doc. 43-17230; Filed, October 23, 1943; 12:22 p. m.]

PART 3281—PULP AND PAPER

[Schedule V as Amended October 23, 1943 to Limitation Order L-120]

ENVELOPE PAPERS

§ 3281.21 Schedule V to Limitation Order L-120—(a) Definitions. For the purpose of this schedule, including the Appendix:

(1) The term "envelope papers" means and is limited to the kinds of paper commonly described and distributed in the paper trade by the names used as captions in the Appendix below.

(2) A "grade" means one particular quality within a kind of envelope paper, such grade having the essential properties peculiar to such kind of paper and common to all grades within such kind, but distinguished from other such grades by a difference in the degree to which one or several of those common properties are emphasized. However, a difference in the degree to which any such property is emphasized, due only to a difference in ash content, in sizing, in the quantity of adhesive in the coating formula, or in the dyes used in the paper and/or coating shall not be considered as resulting in a different grade.

(3) "Color" means any hue of the spectrum, including but not limited to ivory, india and green-white tints, and black, but not including white.

(4) The term "basis weight" means the weight of a kind of envelope paper in pounds per 500 sheets in the size indicated under the appropriate caption, or the equivalent weight of 500 sheets in any other size, figured proportionately to the size specified.

(5) An "item" means a quantity of paper all of which is of the same size, grain, basis weight, finish, color and grade.

(6) The term "standard" as applied to grade, color, basis weight and size means, with respect to each manufacturer, a grade and color selected and

basis weight and size specified under A of the appropriate caption in the Appendix below.

(7) The term "special" as applied to grade, color, basis weight and size means with respect to each manufacturer, any grade, color, basis weight or size that is not standard.

(8) The term "special making order" means a single order placed by a single buyer for manufacture at one time for use by one converter or consumer.

(9) The term "manufacture" includes all making and finishing operations prior to packaging or packing, including pasting whether by a primary manufacturer or otherwise.

(10) "Person" means any individual, partnership, association, or other form of enterprise, including within one "person" all affiliates, subsidiaries, individuals, corporations, partnerships, or other forms of enterprise subject to a common executive or operating management or with a common sales organization.

(b) *Identification of the papers subject to this schedule.* It shall be the duty of each person who manufactures paper to determine in the first instance, but subject to review and official classification by the War Production Board at any time thereafter, under which caption, if any, of the Appendix, belongs each of the "envelope papers" manufactured by him. There shall be taken into account in such determination, and in any review and reclassification by the War Production Board, the designation by which the manufacturer heretofore identified or distributed the paper in question, the common designation in the paper trade of similar papers selling within the same general price range as the paper in question, and the common designation in the paper trade of papers possessing the same general physical characteristics, manufactured by the same general processes, or commonly distributed and used for the same general uses as the paper in question. If a manufacturer is uncertain as to the proper caption under which to classify a particular kind of "envelope paper," or whether a particular kind of paper is such a paper at all or belongs under any caption of the Appendix to this schedule, he may apply to the War Production Board, in writing, for an official classification of such paper, submitting with his application representative samples of the grade or grades in which he manufactures such paper, a full explanation of the processes by which he manufactures the same, the designation by which he has heretofore identified or distributed the same, the general uses for which it is intended, the general price range within which it is sold, and the types of papers with which it chiefly competes, and a full explanation of the reasons for his uncertainty. The War Production Board may on its own motion review a manufacturer's classification and substitute therefor an official classification. In any event, an official classification by the War Production Board, by telegram or notice in writing, sent to the manufacturer, shall, unless and until the War Production Board shall amend or revise the same by tele-

gram or notice in writing sent to the manufacturer, be conclusive.

(c) *Selection of grades for regular manufacture.* Each person who manufactures any kind of "envelope paper" shall, with respect to each such kind he manufactures, select such "grade" or "grades" thereof (if such selection is indicated under the appropriate caption and has not already been reported by him to the War Production Board), not to exceed the number specified in A (1) of the appropriate caption of the Appendix below, as he may desire to adopt for regular manufacture and shall immediately notify the War Production Board of such selection on Form WPB 1295 (formerly PD-589). The manufacturer may thereafter apply to the War Production Board for leave to amend the original selection, but unless and until such leave is granted by the War Production Board in writing the original selection shall remain binding.

(d) *Selection of colors for regular manufacture.* If by the terms of A (2) under the appropriate caption of the Appendix below a manufacturer is permitted, with respect to a particular grade of a kind of "envelope paper", to select a number of colors and such selection is indicated and has not already been reported by him, each person desiring to manufacture such grade in colors, shall immediately select therefor such particular colors, not to exceed the number indicated in A (2) of the appropriate caption, as he may desire to adopt for regular manufacture, and shall immediately notify the War Production Board of such selection on Form WPB 1295 (formerly PD-589). The manufacturer may thereafter apply to the War Production Board for leave to amend the original selection, but unless and until such leave is granted by the War Production Board in writing the original selection shall remain binding.

(e) *General limitations.* (1) Except to the extent and upon the conditions indicated in paragraph (e) (2) and paragraphs (f), (g), (h) and (i) of this revised schedule, or under B of the appropriate caption in the Appendix below, no person shall manufacture any kind of "envelope paper" in any grade, color, basis weight or size other than those selected or specified as standard under A of the appropriate caption of the Appendix, or contrary to any other provision under A of the appropriate caption of the Appendix, or contrary to any other provision under A of the appropriate caption of the Appendix.

(2) *Exceptions to paragraph (e) (1).* Nothing in this revised Schedule shall prevent the manufacture, otherwise than by pasting, of envelope paper in any basis weight not prohibited by the provisions of this schedule as previously amended, provided such envelope paper was in process of manufacture prior to September 1, 1943; nor shall the provisions of this revised schedule prevent the manufacture of envelope paper in any basis

weight permitted for a particular use by this or any subsequent order, provided the basis weight does not exceed the maximum specified by the War Production Board for such use and provided all other provisions of this or such subsequent order are fully complied with.

(f) *Tolerances and variations.* The prohibitions and restrictions of this revised schedule are subject to the normal tolerances customary in the manufacture of "envelope paper" and to the normal variations in quantity manufactured customarily acceptable in the paper trade. Nothing in this revised schedule shall restrict the remaking, because of faulty manufacture or excessive under-run, of all or any part of a "special making order" accepted in good faith for manufacture, in accordance with the terms of this revised schedule.

(g) *Cutting and slitting.* Nothing in this revised schedule shall restrict the cutting of any sheet size to sizes of which the parent size is a multiple, provided the parent size is manufactured in accordance with the provisions of this revised schedule, nor restrict the slitting to fractional width rolls of any parent roll size manufactured in accordance with the provisions of this revised schedule on an order for roll paper; however, a special sheet size may not be cut from a standard or special roll size except in a quantity and under the conditions applying to a "special size" under B of the appropriate caption in the Appendix below.

(h) *Jobs and seconds.* Nothing in this revised schedule shall restrict the sale of "job lots" or "seconds," resulting from faulty manufacture or overruns customarily unacceptable to the buyer, which occur during a bona-fide attempt to manufacture "envelope paper" according to the terms of this revised schedule, provided that the manufacturer informs the purchaser that such paper is a "job lot" or "seconds," and so indicates on each package.

(i) *Exception for export.* Regardless of the foregoing provisions of this revised schedule and of the provisions of Limitation Order L-120, a person may manufacture for export (but may not without permission in writing by the War Production Board sell in the domestic market) any kind of "envelope paper" in any size or substance weight required, regardless of quantity, provided all other provisions of this schedule are complied with, and (if the basis weight is heavier than permitted by this schedule) such person has received permission in writing from the War Production Board to manufacture the particular order in question in such heavier basis weight.

(j) *Records and reports—(1) Standard samples.* Each person who manufactures any kind of "envelope paper" shall keep, readily available for inspection by the War Production Board, representative samples of each standard grade and each standard color of such grade selected by him under A (1) and A (2) of the appropriate caption.

(2) *Special making orders.* On and after September 1, 1943, each person who manufactures any "special making order" permitted under B of the appropri-

ate caption of the Appendix below, shall require from the buyer a statement to the effect that such order is purchased for use by one converter or consumer, shall keep such statement, together with a complete record of such order, readily available for inspection by the War Production Board, and shall submit reports of such orders to the War Production Board as it may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(3) *Export orders.* On and after September 1, 1943, each person who manufactures "envelope paper" for export shall require from the buyer a statement on his purchase order to the effect that such paper is purchased for export, and shall keep such statement, together with a complete record of the order against which such paper is manufactured, readily available for inspection by the War Production Board, and shall submit reports of such orders to the War Production Board as it may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 23d day of October 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX—COMMERCIAL WOOD ENVELOPE PAPERS

(Book Grades)

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

NOTE: "Commercial Wood Envelope Papers" may be sold by a manufacturer only to fill individual orders, each placed by a single buyer for use by one converter or consumer.

(1) *Standard Grades:* Not more than one, selected according to paragraph (c) of the foregoing schedule.

(2) *Standard Colors:* White and 6 colors, selected according to paragraph (d) of the foregoing schedule.

(3) *Standard basis weights (per 500 sheets 17" x 22"):* 16, 20, 24.

(4) *Standard Sizes:* Any sheet size or roll width, if manufactured at one time in a quantity of:

(a) at least 5,000 pounds of an item in White; or

(b) at least 2,000 pounds of an item in a color.

(5) *Watermarks:* A laid mark, or a name or design mark used to identify a standard mill grade, may be incorporated in a continuous run of at least 5,000 pounds of paper under one mark. None otherwise.

(6) *No restriction as to finish.*

B. *Exceptions for "special making orders"* as defined in (a) (8) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each standard substance weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) *Special Weight:* None permitted.

(4) *Special Size:* Any size may be manufactured in the quantities provided for under A (4) above.

(5) Any Watermark may be used in manufacturing a special making order in a quantity of at least 10,000 pounds of continuous manufacture with one mark, provided all the other provisions of this caption are complied with.

[F. R. Doc. 43-17231; Filed, October 23, 1943;
12:22 p. m.]

PART 3281—PULP AND PAPER

[Schedule VIII as Amended Oct. 23, 1943, to
Limitation Order L-120]

PAPER STATIONERY

§ 3281.24 Schedule VIII to Limitation Order L-120—(a) *Definitions.* For the purpose of this Schedule the term "paper stationery" includes:

(1) Envelopes, correspondence paper and cards, manufactured for social correspondence.

(2) Envelopes with paper or cards to correspond manufactured for wedding invitations and wedding announcements.

(3) Envelopes with note paper or cards of corresponding size, packaged together in a single box, portfolio, or other common container, manufactured and assembled for resale as a unit (papeteries).

(4) "Person" means any individual, partnership, association, or other form of enterprise, including within one "person" all affiliates, subsidiaries, individuals, corporations, partnerships, or other forms of enterprise subject to a common executive or operating management or with a common sales organization.

(b) *General limitations.* From and after September 29, 1943:

(1) *Papers.* (i) No person shall manufacture paper stationery from any paper the substance weight of which is greater than that specified for such paper in the following table per 500 sheets.

NOTE: Table amended Oct. 23, 1943.

Grades	Substance weights		
	17" x 22"		22½" x 28½"
	Envelopes	Note paper	Cards
Bonds.....	20	16	.....
Other grades for use in manufacturing stationery writing tablets.....	.....	20	.....
All grades for use in manufacturing invitations and announcements (wedding, commencement, social, business, etc.).....	24	24	120
Other grades.....	24	20	100

(ii) There is excepted from this limitation on basis weight, paper stationery made prior to December 29, 1943 from papers which on August 30, 1943, were in the possession or manufactured for the account of the paper stationery manufacturer, regardless of their substance weight, provided that such person complies with all other provisions of this schedule.

(2) *Sizes and styles.* (i) No envelope size and style shall be manufactured other than those that can be manufac-

tured from dies in existence on August 30, 1943.

(ii) No person shall manufacture paper stationery envelopes with linings.

(3) *Boxes.* No paper stationery manufacturer shall use for packaging paper stationery any paperboard boxes except boxes made in accordance with Tables 1 and 2 of Schedule 4 to Limitation Order L-239.

(4) *Miscellaneous.* (i) No person who manufactures or assembles paper stationery envelopes for resale in bunches through wholesale and retail outlets shall fold such envelopes in excess of the thickness per bunch specified by the following table:

Number of envelopes per bunch:	Thickness of bunch (inches)
24-25	1 1/2
20-23	1 1/4
18-19	1 1/8
15-17	1
10-14	3/4
Under 10	1/2

(ii) No person who manufactures or assembles paper stationery envelopes for papeteries in bunches shall fold such envelopes so as to bulk in excess of the thickness per bunch specified by the following table, when such bunches whether banded or not, are enclosed in the papeterie box.

Number of envelopes per bunch:	Thickness of bunch (inches)
24-25	1 1/2
20-23	1 1/4
18-19	1 1/8
15-17	1
10-14	3/4
Under 10	1/2

Exception. Paper stationery envelopes made prior to December 28, 1943 may be folded so as to bulk in excess of the limitations of the above table only for the purpose of being enclosed in papeterie boxes which are wholly or partially fabricated on August 30, 1943.

(iii) No person shall manufacture or assemble wedding invitation or wedding announcement stationery in bunches, boxes or other units containing more than 1 envelope per invitation or announcement unit.

(iv) No person shall manufacture or assemble wedding invitation or wedding announcement cabinets which contain less than 100 envelopes and 100 sheets per cabinet. The envelopes for said cabinets shall not be folded so as to bulk more than 2" per 25 envelopes.

Issued this 23d day of October 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 3281—PULP AND PAPER

[Schedule IX as Amended Oct. 23, 1943 to
Limitation Order L-120]

TABLETS, NOTEBOOKS, PADS, AND LOOSELEAF
FILLERS

§ 3281.25 Schedule IX to Limitation
Order L-120—(a) Definition. "Person"

means any individual, partnership, association, or other form of enterprise, including within one "person" all affiliates, subsidiaries, individuals, corporations, partnerships, or other forms of enterprise subject to a common executive or operating management or with a common sales organization.

(b) *Applicability.* The following converted paper items (other than textbooks) are subject to the restrictions of this schedule:

- (1) Memorandum and notebooks.
- (2) Stenographer notebooks.
- (3) Looseleaf fillers.
- (4) Pads.
- (5) Typewriter tablets.
- (6) Writing tablets.

- (7) School supplies including but not limited to:
 - (i) Blue books.
 - (ii) Composition books.
 - (iii) Music work books.
 - (iv) Spelling books.
 - (v) Drawing paper products.
 - (vi) Examination tablets.
 - (vii) Spelling tablets.
 - (viii) Theme tablets.

NOTE: Paragraph (c), formerly (b), re-designated Oct. 23, 1943.

(c) *General Limitations.* From and after September 29, 1943:

(1) *Papers.* (i) No person shall manufacture tablets, notebooks, pads or loose-leaf fillers from any paper the substance weight of which is greater than that specified for such paper by the following table:

Article	Grade	Substance weight per 500 sheets
Drawing books, tablets, pads, and sheets (excluding "artist drawing" and "drafting").	All grades.....	24" x 36"—50.
Writing tablets (except as provided for in Schedule VIII).	Pencil tablet.....	24" x 36"—32.
All articles not otherwise listed.	Other grades.....	17" x 22"—16.
	All grades.....	17" x 22"—16.

NOTE: Table amended Oct. 23, 1943.

(ii) There are excepted from this limitation on basis weight, tablets, notebooks, pads and loose-leaf fillers made prior to December 28, 1943 from papers which on August 30, 1943, were in the possession or manufactured for the account of the manufacturer of tablets, notebooks, pads and loose-leaf fillers, regardless of this substance weight: *Provided*, That such person complies with all the provisions of this schedule.

(2) *Miscellaneous.* (i) No person shall manufacture tablets or pads with backboards heavier than the count specified in the following table:

Count of back-board (25" x 40"—50 lbs. per bundle)

Kind of tablet or pad:	Sheets per bundle
Tablets manufactured from newsprint grades.....	80
Tablets manufactured from rag and chemical wood grades.....	60
Pads, the sheet size of which is in excess of 60 square inches.....	60
Pads, the sheet size of which is 60 square inches or less.....	80

(ii) No person shall manufacture tablets with covers made from any of the following grades of paper or paperboard heavier than the weight indicated for such grade by the following table:

Grade of cover:	Weight
Uncoated.....	20" x 26"—65 (500 sheets)
Coated.....	20" x 26"—60 (500 sheets)
Imitation Press.....	17" x 28"—70 (500 sheets)
Semi genuine Press.....	.008 Caliper board.
All other grades.....	22 1/2" x 28 1/2"—100 (500 sheets)

Issued this 23d day of October 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 3281—PULP AND PAPER

[Schedule XIV as Amended Oct. 23, 1943 to
Limitation Order L-120]

PAPER FOR USE IN NEWSPAPERS OR
MAGAZINES

§ 3281.30 Schedule XIV to Limitation
Order L-120—(a) Definitions. For the
purpose of this schedule, including the
appendix:

(1) The term "paper for use in newspapers or magazines" means and is limited to the kinds of paper commonly described and distributed in the paper trade by the names used as captions in the appendix below.

(2) The term "basis weight" means the weight of a kind of paper in pounds per 500 sheets in the size indicated under the appropriate caption, or the equivalent weight of 500 sheets in any other size figured proportionately to the size specified.

(3) The term "manufacture" includes all making and finishing operations prior to packaging or packing, including pasting whether by a primary manufacturer or otherwise.

(4) "Person" means any individual, partnership, association, or other form of enterprise, including within one "person" all affiliates, subsidiaries, individuals, corporations, partnerships, or other forms of enterprise subject to a common executive or operating management or with a common sales organization.

(b) *Identifications of the papers subject to this schedule.* It shall be the duty of each person who manufactures paper to determine in the first instance, but subject to review and official classification by the War Production Board at any time thereafter, under which caption, if any, of the appendix, belongs each of the "papers for use in newspapers or magazines" manufactured by him. There shall be taken into account in such determination, and in any review and reclassification by the War Production Board, the designation by which the manufacturer heretofore identified or distributed the paper in question, the common designation in the paper trade of similar papers selling within the same general price range as the paper in question, and the common designation in the paper trade of papers possessing the same general physical characteristics, manufactured by the same general processes, or commonly distributed and used for the same general uses as the paper in question. If a manufacturer is uncertain as to the proper caption under which to classify a particular kind of "paper for use in newspapers or magazines," or whether a particular kind of paper is such a paper at all or belongs under any caption of the appendix to this Schedule, he may apply to the War Production Board, in writing, for an official classification of such paper, submitting with his application representative samples of the grade or grades in which he manufactures such paper, a full explanation of the processes by which he manufactures the same, the designation by which he has heretofore identified or distributed the same, the general uses for which it is intended, the general price range within which it is sold, and the types of papers with which it chiefly competes, and a full explanation of the reasons for his uncertainty. The War Production Board may on its own motion review a manufacturer's classification and substitute therefor an official classification. In any event, an official classification by the War Production Board by telegram or notice in writing sent to the manufacturer shall, unless and until the War Production Board shall amend or revise the same by telegram or notice in writing sent to the manufacturer, be conclusive.

(c) *General limitations.* (1) Except to the extent and upon the conditions indicated in paragraph (c) (2) and paragraphs (d), (e) and (f) of this Schedule, no person shall manufacture any kind of "paper for use in newspapers or magazines" in any basis weight heavier than the basis weight specified as the maximum for the kind of paper indicated by each caption in the Appendix below.

(2) *Exceptions to paragraph (c) (1).* Nothing in this schedule shall prevent the manufacture, otherwise than by pasting, of "paper for use in newspapers or magazines" in any basis weight exceeding the maximum specified, provided such paper was in process of manufacture prior to September 1, 1943, nor shall the provisions of this schedule prevent the manufacture of paper in any basis weight permitted for a particular use by any subsequent order, provided the basis weight does not exceed the

maximum specified by the War Production Board for such use, and provided all other provisions of this or such subsequent order are fully complied with.

(d) *Tolerances and variations.* The prohibitions and restrictions of this schedule are subject to the normal tolerances customary in the manufacture of the kind of paper indicated by each caption and to the normal variations in quantity manufactured customarily acceptable in the paper trade.

(e) *Jobs and seconds.* Nothing in this schedule shall restrict the sale of "job lots" or "seconds" resulting from faulty manufacture or overruns customarily unacceptable to the buyer, which occur during a bona fide attempt to manufacture "paper for use in newspapers or magazines" according to the terms of this schedule, provided that the manufacturer clearly informs the purchaser that such paper is a "job lot" or "seconds" and so indicates on each package.

(f) *Exception for export.* Regardless of the foregoing provisions of this schedule and of Limitation Order L-120, a person may manufacture for export (but may not without permission in writing from the War Production Board sell in the domestic market) any kind of "paper for use in newspapers or magazines" in any basis weight required, provided that (if the basis weight is heavier than permitted by this schedule) such person has received permission from the War Production Board to manufacture the particular order in question in such heavier basis weight.

(g) *Records and reports.* (1) Each person who manufactures "paper for use in newspapers or magazines" shall keep, readily available for inspection by the War Production Board, records of the basis weights of each manufacturing run of such paper.

(2) On and after September 1, 1943, each person who manufactures "paper for use in newspapers or magazines" for export shall require from the buyer a statement on his purchase order to the effect that such paper is purchased for export, shall keep such statement, together with a complete record of the order against which such paper is manufactured, readily available for inspection by the War Production Board, and shall submit reports of such orders to the War Production Board as it may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 23d day of October 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX—STANDARDIZATION AND SIMPLIFICATION OF "PAPER FOR USE IN NEWSPAPERS OR MAGAZINES"

The following maximum weight limitations do not prevent the manufacture of basis weights lower than the maximum specified.

Supercalendered rotogravure:

Maximum basis weight permitted:
25" x 38"—39.

Uncoated English (machine) finish book papers:

Maximum basis weight permitted:
25" x 38"—45.

Uncoated book papers, supercalendered:

Maximum basis weight permitted:
25" x 38"—50.

Antique (eggshell) finish book papers:

Maximum basis weight permitted:
25" x 38"—50.

Uncoated offset book papers:

Maximum basis weight permitted:
25" x 38"—60; and, if for use in multi-

color printing on an offset press, 65, provided that before the sale thereof the manufacturer shall require from the buyer a statement that the order is for use in multicolor printing on an offset press. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

Definition of multicolor printing. Multicolor printing means the use of more than two colors of ink including black, two or more colors being superimposed on the base color ink to produce the desired design or illustration.

Process (Machine) Coated Book Papers:

Maximum weights permitted:

Inside: 25" x 38"—60

Cover: 25" x 38"—95

Coated two sides book papers (Glossy coated, dull coated and coated offset):

Maximum basis weight permitted:
25" x 38"—70.

Coated one side book papers:

Maximum basis weight permitted:
25" x 38"—60.

Plain coated cover papers:

Maximum basis weight permitted:
20" x 26"—60.

Uncoated cover papers (all grades):

Maximum basis weight permitted:
25" x 38"—70.

Groundwood printing papers (all grades):

Maximum basis weights permitted:
For machine finish: 25" x 38"—45.
For antique finish: 25" x 38"—50.
For supercalendered: 25" x 38"—50.

Novel news:

Maximum basis weight permitted:
24" x 36"—32.

Newsprint:

Maximum basis weight permitted:
24" x 36"—32.

School drawing: (Excluding "Artists Drawing" and "Drafting")

Maximum Basis weights permitted:
25" x 38"—50

[F. R. Doc. 43-17234; Filed, October 23, 1943;
12:23 p. m.]

PART 3289—RADIO AND RADAR¹

[General Limitation Order L-203, as Amended
Oct. 23, 1943]

ELECTRICAL INDICATING INSTRUMENTS

The fulfillment of requirements for the defense of the United States has created a shortage in the production of electrical indicating instruments for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3289.21¹ General Limitation Order L-203—(a) Definitions. For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust,

¹ Formerly Part 3087, § 3087.1.

corporation, governmental corporation or agency, or any organized group of individuals whether incorporated or not.

(2) "Manufacturer" means any person engaged in the production, assembly or fabrication of electrical indicating instruments.

(3) "Electrical indicating instrument" ("meter") means a measuring mechanism the pointer of which responds to a change in an electrical quantity. The term shall include instrument mechanisms and instrument relays made therefrom; also, small panel, switchboard, portable, and aircraft electrical instruments. The term shall not include:

(i) Any multi-purpose portable instrument capable of measuring more than one electrical quantity and embraced within the classification of electronic test equipment in General Scheduling Order M-293;

(ii) Any instrument made with metal bearings and normally used in automotive vehicles or mobile construction machinery;

(iii) Any electrical aircraft self-synchronous indicator or transmitter.

(4) "Approved order" means any order which is embraced within any one of the following categories: *Provided*, That no order shall be brought within the provisions of subparagraphs (i), (ii) or (iv) of this paragraph (a) (4) by the subdivision thereof or by any subdivision of requirements:

(i) Any order for less than 500 identical electrical indicating instruments which conform to the ranges and dimensions established and prescribed for "Electrical indicating instruments" by American War Standard C39.2—1943, as approved January 8, 1943, and published by American Standards Association;

(ii) Any order for less than 500 identical electrical indicating instruments of flange diameter, height, or width exceeding 3½";

(iii) Any order for polarized vane non-jewelled instruments;

(iv) Any order for less than 500 identical electrical indicating instruments which conform to approved United States Army or Navy specifications specified on the order;

(v) Any order authorized by the War Production Board on Form WPB-1682 in the manner provided in General Scheduling Order M-293.

(b) *Restrictions on acceptance and filling of orders.* Any person who places, accepts or fills an order authorized on Form WPB-1682, in the manner provided in General Scheduling Order M-293, shall comply with such restrictions and conditions as are specified on the form.

(c) *Production equipment.* No manufacturer shall produce, or cause to be produced, fabricated or assembled, any tools, jigs, dies or other production machinery or equipment designed for the manufacture or production of electrical indicating instruments of types, ranges, sizes and specifications not embraced within the categories of approved orders defined in paragraphs (a) (4) (i) or (a) (4) (iv) hereof: *Provided, however*, That the provisions of this paragraph shall not apply to the maintenance, re-

pair, replacement or improvement of existing tools, dies, jigs, and other production machinery equipment. The provisions of this paragraph shall not apply with respect to the manufacture of polarized vane non-jewelled instruments or instruments of flange diameter, height or width exceeding 3½".

(d) *Scheduling.* On or before the fifteenth day of each calendar month every manufacturer shall file with the War Production Board his proposed delivery schedule for electrical indicating instruments for the following month, and such other information as is required thereby on Form WPB-1685. The delivery schedule for the calendar month following the filing shall be deemed to be approved by the War Production Board upon receipt thereof, unless and until the War Production Board shall otherwise direct, and shall be deemed a frozen schedule within the meaning of Priorities Regulation 18. No manufacturer shall alter any such approved delivery schedule except pursuant to a written direction of the War Production Board which identifies the frozen schedule and states on its face that it is an amendment of that schedule.

(e) *Special directions and exemptions.* (1) The War Production Board may from time to time issue in writing in respect to electrical indicating instruments special orders or directions which:

(i) Alter or freeze delivery or production schedules, in whole or in part;

(ii) Direct the cancellation of any order held by any manufacturer;

(iii) Allocate any unfilled order from one manufacturer to another manufacturer;

(iv) Direct the delivery of any electrical indicating instrument in production or completed to any person at the established price and terms;

(v) Authorize exception or departure from any of the provisions of paragraph (c) hereof; or

(vi) Take such other action as it deems necessary with respect to the placing of orders for, or the production or delivery of electrical indicating instruments or any component parts thereof.

(2) The provisions of this order, other than the provisions of paragraph (e) (1), shall in no event be construed to apply to the maintenance or repair of electrical indicating instruments, nor to purchase orders for component parts of electrical indicating instruments required for the maintenance or repair thereof.

(f) *Applicability of regulations.* This order and all transactions affected thereby are subject to the provisions of all regulations of the War Production Board, except that to the extent of any conflict or inconsistency therewith the provisions hereof shall control.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing

or using materials under priorities control and may be deprived of priorities assistance.

(h) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(i) *Communications.* All reports to be filed, appeals and other communications concerning this order should be addressed to War Production Board, Radio and Radar Division, Washington 25, D. C. Ref: L-203.

Issued this 23d day of October 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

Paragraph (a) (4) (iv) of Limitation Order L-203 defines an "approved order" as including: "Any order for less than 500 identical electrical indicating instruments which conform to approved United States Army or Navy specifications specified on the order". This means specified by the Army or Navy. This may occur on direct Army or Navy procurements, or in respect to purchase orders for instruments which are ultimately for the account of the Army or Navy—e. g., instruments to be installed as components in an end product being manufactured under an Army or Navy prime contract which requires that instruments going into that end product conform to Army or Navy specifications.

The end use of the instruments must be for the account of the Army or Navy. The provision does not mean, therefore, that any person may make any purchase order an "approved order" merely by specifying Army or Navy specifications thereon. The provision applies only to purchase orders placed by or for the ultimate account of the Army or Navy, where the Army or Navy has prescribed the specification in the first instance. (Issued July 10, 1943.)

[F. R. Doc. 43-17235; Filed, October 23, 1943;
12:24 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-103, as Amended Oct. 23, 1943]

DYESTUFFS AND ORGANIC PIGMENTS

§ 3290.266 Conservation Order M-103—(a) *Definitions.* For the purposes of this order:

(1) "Dyestuffs" means any organic or partially organic coloring matter. The term includes organic coloring matter even though the matter itself appears colorless. The term does not include inorganic pigments extended or otherwise processed with resins, with dispersing agents, or with other substantially colorless organic material.

(2) "Class A dyestuffs" means the anthraquinone vat dyes appearing on List A attached hereto.

(3) "Class B dyestuffs" means all anthraquinone vat dyes other than those appearing on said List A. The term includes Fast Red A. L. Salt, which shall be considered an anthraquinone vat dye of single strength.

(4) "Class C dyestuffs" means all anthraquinone dyes other than anthraquinone vat dyes.

(5) "Class D dyestuffs" means all other dyestuffs, except:

(i) Those derived from vegetable or animal sources;

(ii) Lithol Red CI 189, Azo Bordeaux CI 88, Alphanaphthylamine Maroon CI 82 or Pigment Green B; or

(iii) Dyestuffs certified under the provisions of the Federal Food, Drug and Cosmetic Act (Ch. 9, Title 21, U. S. Code) and sold and used exclusively for use in food, drugs and cosmetics, as defined in said Act.

(6) "Value" means the dollar value computed from the domestic consumer's contract sales price as of January 1, 1943.

(7) "United States" means the 48 States, the District of Columbia and the Territory of Alaska.

May deliver

Class B. 17½ % of combined amount of Class A and B dyestuffs delivered to all persons in 1941.

(For the purpose of Class B quota, calculate in pounds of equivalent single strength Anthraquinone vat dyes. The poundage may be increased to equal 25 or a multiple thereof.)

Class C. 17½ % of value of Class C dyestuffs delivered to all persons in 1941.

Class D. 17½ % of value of Class D dyestuffs delivered to all persons in 1941.

(For the purpose of Class D quota, in determining the value of dry and wet dispersions of organic pigments, only the organic pigment content for such dispersions shall be considered and it shall be based on the value of a comparable dry pigment.)

(3) *Quota adjustments.* For the purpose of the Class B, C and D quotas, referred to in the above schedule:

(i) *Use by producer.* Amounts of dyestuffs which are or have been used by a producer in any calendar quarter or in 1941, shall be considered as having been delivered to such person in such quarter or in 1941, as the case may be.

(ii) *Credit for returned dyestuffs.* Amounts of dyestuffs returned to a vendor prior to the 22nd day after the end of the calendar quarter in which they were delivered, shall not be charged as delivered or accepted.

(iii) *Carry-over of undelivered quota.* Amounts of dyestuffs which a person may deliver or accept which have not been delivered or accepted in any calendar quarter, may be delivered or accepted prior to the 22nd day after the end of such quarter.

(c) *Restrictions on exports—(1) General restrictions.* No producer shall export or deliver for export from the United States to any place other than Canada any dyestuffs produced by him, except either upon orders accompanied by individual export licenses issued by the Office of Economic Warfare (the applications for which show thereon the corresponding current domestic sales price of such dyestuffs) or upon orders from an agency of the United States for delivery pursuant to the Act of March 11, 1941, as amended, entitled "An Act to promote the Defense of the United

(b) *Restrictions on delivery—(1) Class A.* No person shall deliver to any one person more than 25 pounds, and no person shall accept more than 25 pounds of any Class A dyestuffs for use in the United States or Canada, except for export within the limitations prescribed in paragraph (c) (Restrictions on export) and except as provided in paragraph (d) (General exceptions).

(2) *Class B, C and D quotas.* Except as provided in paragraph (d) (General exceptions), no person shall in any calendar quarter, deliver or accept delivery of any Class B, C or D dyestuffs for use in the United States or Canada, in excess of the quantities specified in the following schedule:

May accept delivery

17½ % of combined amount of Class A and B dyestuffs received from all sources in 1941, plus 250 pounds.

17½ % of value of Class C dyestuffs received from all sources in 1941, plus \$250 value.

17½ % of value of Class D dyestuffs received from all sources in 1941, plus \$250 value.

tion to the quota for that quarter. For the purposes of this subparagraph (3), all dyestuffs, other than Class A, B or C, shall be considered one class.

(d) *General exceptions.* The restrictions in subparagraphs (1) and (2) of paragraph (b) (Restrictions on delivery) and the restrictions in paragraph (c) (Restrictions on export) shall not apply to the delivery or acceptance of delivery of dyestuffs:

(1) To or by the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the United States Post Office, the Government Printing Office, the Bureau of Engraving and Printing or the Government of Canada;

(2) For ultimate delivery to any of the agencies mentioned in subparagraph (1) of this paragraph (d), or for use, to the extent specified in the prime contract, in the manufacture of any item which is being produced for any of said agencies;

(3) For use in the manufacture of officers' uniform materials for officers' uniforms as defined in Preference Rating Order P-131, as amended from time to time;

(4) Between or among producers and exclusive sales agents of producers;

(5) For coloring gasoline and tractor fuels;

(6) For chemical indicators or bacteriological stains;

(7) For medicinal, therapeutic or diagnostic uses;

(8) For redyeing used apparel or used household furnishings;

(9) For ultimate delivery to or by a retailer (who for this purpose means one who sells dyestuffs and other merchandise directly to the general public for its consumption, e. g., a general store, a drug store, etc.) of dyestuffs in containers not exceeding 8 ounces in content; or

(10) To replace in inventory amounts which, although not acquired for any of the uses referred to in any of the subparagraphs of this paragraph (d), were nevertheless used for one or more of such purposes.

(11) For purposes other than coloring (e. g. rubber chemicals).

Provided, That all deliveries of dyestuffs exempted from the restrictions of said paragraphs (b) and (c) by subparagraphs (2), (3), (4), (5), (6), (7), (8) or (10) of this paragraph (d) shall be made only upon the receipt by the vendor from the purchaser of a certificate signed by such purchaser, or by a person authorized to sign in his behalf, in substantially the following form:

The undersigned hereby certifies to his vendor and to the War Production Board that the dyestuffs to be delivered on the annexed purchase order will be used for one or more of the purposes specified in paragraph (d) of Conservation Order M-103, or will replace inventory so used.

(e) *Treatment of mixtures.* In the case of physical mixtures of different classes of dyestuffs containing a com-

ponent or components of one class to the extent of at least 90% of the value of such mixture, such mixture shall be considered as belonging to the class to which said component or components belong. In the case of all other physical mixtures of dyestuffs, the classes of components shall be considered separately.

(f) *Restrictions on use of specific dyestuffs.* No person shall use any:

(1) [Deleted Oct. 23, 1943.]

(2) Anthraquinone in any physical form in discharging (including color and white discharge), stripping or destroying naphthol (azolic), vat or other dyes already present on textile fibers. This provision shall not prohibit the use of Anthraquinone in the manufacture of dyestuffs.

(3) Annato or annato extracts for coloring any materials other than food products.

(f-1) [Deleted Oct. 23, 1943.]

(g) *Restrictions on inventory.* In addition to the restrictions on inventory contained in Priorities Regulation No. 1 (§ 944.14), no person shall accept delivery of any Class A dyestuffs which will increase his inventory thereof beyond an amount which, to the best of his knowledge and belief, will be used by him in the next 45 days.

(h) *General prohibitions.* No person shall deliver or accept delivery of any dyestuffs, if he knows, or has reason to believe, such material is to be used or is to be delivered or accepted in violation of the terms of this order.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(k) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(l) *Communications to the War Production Board.* All communications concerning this order, shall, unless otherwise directed in writing, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Reference: M-103.

Issued this 23d day of October 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

PART I—TECHNICAL NAMES

1. Brown R CI 1151.
2. Brown G CI 1152.

3. Olive R CI 1150.
4. Golden orange R CI 1097
5. Khaki 2G Pr 122.
6. Olive T.
7. Olive GGL.
8. Olive green B.
9. Yellow 3RD.

PART II—TRADE NAMES

Amanthrene olive R CI 1150.
Amanthrene olive green B.
Calcoloid golden orange RRTD CI 1097.
Calcosol brown G CI 1152.
Calcosol brown R CI 1151.
Calcosol brown RP CI 1151.
Calcosol golden orange RRTD CI 1097.
Calcosol golden orange RRTP CI 1097.
Calcosol khaki G Pr 122.
Calcosol olive R CI 1150.
Carbanthrene brown AR CI 1151.
Carbanthrene brown AG CI 1152.
Carbanthrene golden orange RRT CI 1097.
Carbanthrene prtg. golden orange RRT CI 1097.
Carbanthrene khaki 2G Pr 122.
Carbanthrene olive R CI 1150.
Cibanone brown BG CI 1152.
Cibanone brown GR CI 1151.
Cibanone golden orange 2R CI 1097.
Cibanone olive 2R CI 1150.
Indanthrene brown FRA CI 1151.
Indanthrene brown GA CI 1152.
Indanthrene brown GAF CI 1152.
Indanthrene brown GAP CI 1152.
Indanthrene brown GWF CI 1152.
Indanthrene brown GWP CI 1152.
Indanthrene brown RA CI 1151.
Indanthrene brown RAP CI 1151.
Indanthrene brown RWP CI 1151.
Indanthrene khaki 2GA Pr 122.
Indanthrene khaki 2GF Pr 122.
Indanthrene khaki 2GWP Pr 122.
Indanthrene olive green BA.
Indanthrene olive RA CI 1150.
Indanthrene olive RAP CI 1150.
Indanthrene olive RW CI 1150.
Indanthrene olive RWF CI 1150.
Indanthrene orange RRTA CI 1097.
Indanthrene orange RRTF CI 1097.
Indanthrene orange RRTP CI 1097.
Indanthrene orange RRTW CI 1097.
Indanthrene yellow 3RD.
Indanthrene olive T.
Ponsol brown AG CI 1152.
Ponsol brown AR CI 1151.
Ponsol brown ARS CI 1151.
Ponsol green 2BL.
Ponsol golden orange RRT CI 1097.
Ponsol golden orange RRTS CI 1097.
Ponsol khaki 2G Pr 122.
Ponsol olive AR CI 1150.
Ponsol olive ARS CI 1150.
Ponsol olive GGL.

[F. R. Doc. 43-17225; Filed, October 23, 1943;
12:23 p. m.]

PART 3291—CONSUMERS DURABLE GOODS¹

[Supplementary Limitation Order L-5-d as
Amended Oct. 23, 1943]

DOMESTIC MECHANICAL REFRIGERATORS

§ 3291.11¹ *Supplementary General
Limitation Order L-5-d—(a) Definitions.*
For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Domestic mechanical refrigerator" means any refrigerator for household use which operates either by compression or absorption and which has a net capacity (N. E. M. A. rating) of 16 cubic feet or less. A low temperature

mechanical refrigerator designed for the storage of frozen foods or for the quick-freezing of food, where the low temperature compartment customarily operates at a temperature of not higher than 15 degrees above zero (Fahrenheit) and contains 75% or more of the total refrigerating space in the refrigerator, shall not be considered a domestic mechanical refrigerator.

(3) "New domestic mechanical refrigerator" means any domestic mechanical refrigerator which has never been used by an ultimate consumer, including any such refrigerator which has been used merely for demonstration purposes.

(4) "Manufacturer" means any person who manufactures or assembles new domestic mechanical refrigerators.

(5) "Dealer" means any person (other than a manufacturer or distributor) engaged in the business of making sales at retail of new domestic mechanical refrigerators to the public.

(6) "Distributor" means any person engaged in the business of selling new domestic mechanical refrigerators to dealers for resale.

(7) "Transfer" means to sell, lease, trade, deliver, ship or otherwise transfer a new domestic mechanical refrigerator. "Transfer" does not include a transfer of title merely for security purposes or to a person financing a conditional sale, or a similar transaction made simultaneously with the transfer of the refrigerator itself to the purchaser; nor does it include the sale, lease or delivery of any new domestic mechanical refrigerator as part of the sale, lease or delivery of the dwelling unit or other premises in which such refrigerator is installed for use.

(8) "Affiliated distributor" means any distributor which is owned or controlled by a manufacturer or under common ownership or control with a manufacturer. A person shall be deemed to be owned or controlled by another person when more than 50% of its voting capital stock is directly or indirectly owned by such other person.

(9) "Independent distributor" means any distributor other than an affiliated distributor.

(b) *Restrictions on transfers of new domestic mechanical refrigerators.* No person shall transfer or accept transfer of any new domestic mechanical refrigerator except as permitted under the provisions of this paragraph (b). Whenever any manufacturer or distributor is authorized to transfer new domestic mechanical refrigerators under subparagraph (3) of this paragraph (b) or under paragraph (c) (2) (iii), such transfers shall be made as far as is practicable through his normal distributive outlets on a basis proportionate to his distribution of new domestic mechanical refrigerators to them, respectively, during the year 1941, regardless of any previous commitments or contracts.

(1) Any new domestic mechanical refrigerator may be transferred pursuant to a certificate of transfer under the provisions of paragraph (c) or pursuant to other specific authorization of the War Production Board.

¹ Formerly Part 989, § 989.5.

(2) Any new domestic mechanical refrigerator may be transferred to fill any contract or purchase order for delivery to or for the account of the U. S. Maritime Commission or the War Shipping Administration for shipboard use only.

(3) Any new electric or gas (but not kerosene) domestic mechanical refrigerator, which at 10 A. M. Eastern War Time, February 14, 1942, was in the inventory of a dealer, independent distributor or any other person not a manufacturer or affiliated distributor, may be transferred by any person to any other person without limit as to the number of transfers which may be made of any such refrigerator: *Provided*, That any transfer of a new domestic mechanical refrigerator to an ultimate consumer under the provisions of this subparagraph (3) may be made only if such transferee executes a purchaser's certification, on Form WPB-2524 (formerly PD-833), which is countersigned by the transferor.

Any new electric or gas domestic mechanical refrigerator which at 10 A. M. Eastern War Time, February 14, 1942, had been bought and fully paid for and was in the hands of the seller at that time, shall be deemed to have been in the inventory of the purchaser at 10 A. M. Eastern War Time, February 14, 1942.

(4) Any new kerosene domestic mechanical refrigerator which at 10 A. M. Eastern War Time, February 14, 1942, had been bought and fully paid for by an ultimate consumer, and was in the hands of the seller at that time may be delivered to the purchaser.

(5) Any person may distrain or levy by execution, attachment or similar form of judicial process, on any new domestic mechanical refrigerators, or repossess them on default, but may not transfer them thereafter except pursuant to the provisions of subparagraphs (1) and (2) of this paragraph (b) unless the refrigerators come within the provisions of subparagraph (3) of this paragraph (b).

(6) Any manufacturer may sell any new domestic mechanical refrigerator to Defense Supplies Corporation and Defense Supplies Corporation may resell any such refrigerators to the manufacturer from whom they were purchased.

(c) *Transfer of new domestic mechanical refrigerators by a certificate of transfer.* The War Production Board may in its discretion issue a certificate of transfer in either of the following forms:

(1) A certificate of transfer on Form WPB-867 (formerly PD-428) may be issued pursuant to a written application filed on Form WPB-882 (formerly PD-427) in accordance with the instructions contained thereon by a person desiring to purchase one or more new domestic mechanical refrigerators. Each such certificate of transfer, when signed by an authorized official of the War Production Board, authorizes the transfer to the person named of the refrigerators mentioned therein, in accordance with the terms stated. If the certificate is

presented to a dealer or distributor who is unable to fill the order from his stock of refrigerators, such dealer or distributor may obtain the refrigerators necessary to fill the order by placing a written purchase order for such refrigerators with a manufacturer, distributor or other person endorsing thereon a statement in the following form:

I (We) have received Certificate of Transfer, No. —, signed by an authorized official of the War Production Board, covering these refrigerators, and do not have them in stock.

Name of Company
By _____

Title

Any person with whom a purchase order bearing such an endorsement is placed may, if he does not have enough refrigerators in stock to fill the order, extend it by placing his own purchase order with a Manufacturer or other person holding such refrigerators and endorsing thereon a statement in the following form:

I (We) do not have these refrigerators in stock and they are required to fill an order placed with me by _____, who certifies that he has received Certificate of Transfer, No. —, covering these refrigerators.

Name of Company
By _____

Title

Any person with whom a purchase order for new domestic mechanical refrigerators is placed having an endorsement in either of the above forms, unless he knows or has reason to believe it to be false, shall be entitled to rely on such endorsement and may transfer the refrigerators specified in such order in accordance with its terms.

(2) A certificate of transfer on Form WPB-869 (formerly PD-430) may be issued in order to permit the transfer of new domestic mechanical refrigerators:

(i) From one warehouse or place of storage to another warehouse or other place of storage, whether or not it involves any change in the ownership or title of such refrigerators;

(ii) From any person to any other person when the transfer does not come within the provisions of subparagraph (1) of this paragraph (c); or

(iii) From any manufacturer, affiliated distributor or independent distributor without limit as to the number of transfers which may be made of any such refrigerators to any person other than a person acquiring refrigerators for export to and consumption or use in any foreign country: *Provided*, That

(a) The words "unlimited transfer" appear on such certificate; and

(b) Any transfer to an ultimate consumer made under the provisions of this subdivision (iii) of this paragraph (c) (2) may be made only if such ultimate consumer executes a purchaser's certification on Form WPB-2524 (formerly PD-833), which is countersigned by the transferor.

Whenever such certificates for "unlimited transfer" are issued by the War Production Board it shall take into consid-

eration the number, price range, size and type of new domestic mechanical refrigerators in the stocks of manufacturers, affiliated distributors, and independent distributors on February 14, 1942 and thereafter;

(iv) From any manufacturer, affiliated distributor or independent distributor without limit as to the number of transfers which may be made of any such refrigerators to any person acquiring refrigerators for export to and consumption or use in any foreign country: *Provided*, That the words "export transfer" appear on such certificate.

(d) *Instructions and forms.* The War Production Board may issue from time to time such instructions and forms as may be required to carry out the provisions of this order.

(e) *Records.* All persons affected by this order shall keep and preserve, for not less than two years, accurate and complete records concerning inventories, production and sales.

(f) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(g) *Reports.* (1) Each manufacturer shall file with the War Production Board, on or before the next business day after any shipment to or from his stock of refrigerators a report of all such shipments on Form WPB-713 (formerly PD-431).

(2) Each affiliated distributor or independent distributor shall file with the War Production Board on or before the next business day after any shipment to or from his stock of refrigerators, a report of all such shipments on Form WPB-713 (formerly PD-431). Any refrigerators received pursuant to Form WPB-869 (formerly PD-430) marked "unlimited transfer" which are set aside by an affiliated distributor or independent distributor for direct shipment by such affiliated distributor or independent distributor to ultimate consumers shall be reported on Form WPB-713 (formerly PD-431), as a group when set aside and not as individual transfers to ultimate consumers.

(3) All persons affected by this order shall file with the War Production Board such other reports and questionnaires as the War Production Board shall, from time to time prescribe.

(h) *Communications.* All reports to be filed and other communications concerning this order should be addressed to the War Production Board, Washington, 25, D. C. Ref.: L-5-d.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using materials under priority control and may be deprived of priorities assistance.

(1) *Order L-5-b superseded.* On and after June 15, 1942 the provisions of this order shall supersede all the provisions of Supplementary Limitation Order L-5-b.

Issued this 23d day of October 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

Supplementary General Limitation Order L-5-d, restricting the transfer of new domestic mechanical refrigerators, exempts from some of its restrictions a refrigerator which was in the hands of the seller at 10 a. m. Eastern War Time, February 14, 1942, and which "had been bought and fully paid for" prior to that time. The test to be employed in determining whether or not a refrigerator "had been bought and fully paid for" is whether the seller had received full payment at the specified time. If the full price of the refrigerator had been paid to the seller in cash, or by any other means, the refrigerator should be considered as "bought and fully paid for" regardless of the source of payment. It is not necessary that the full price be paid by the purchaser provided the seller had been fully paid. Thus if the purchaser had made a down payment of part of the purchase price and a finance company or bank had paid or credited the account of the seller with the balance of the price pursuant to a financing agreement with the purchaser, the refrigerators should be considered to have been "bought and fully paid for." In addition, in the absence of exceptional circumstances the receipt by the seller of a check prior to 10 a. m., Eastern War Time, February 14, 1942, for the full purchase price should be considered as payment in full before that time even though the check had not been cashed, deposited or otherwise collected. (Issued June 29, 1942.)

[F. R. Doc. 43-17226; Filed, October 23, 1943;
12:23 p. m.]

PART 3293—CHEMICALS¹

[Conservation Order M-54, as Amended Oct.
23, 1943]

MOLASSES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of molasses for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.91¹ Conservation Order M-54—
(a) *Definitions.* For the purposes of this order:

(1) "Molasses" means any molasses, sirup, sugar solution, or any form of fermentative sugar (derived from sugar cane or sugar beets) and hydrol (corn sugar molasses). The term does not, however, include sugar as defined in Rationing Order No. 3 or sugar intended for and used for manufacture into sugar as so defined, or edible molasses as defined in Food Distribution Order No. 51. Blackstrap molasses is any final molasses produced in the manufacture of sugar from sugar cane or from the refining of raw sugar and includes all beet molasses produced in the manufacture

of sugar from sugar beets. Invert molasses is any molasses made from sugar cane without extraction of sugars. For the purpose of this order one gallon of invert molasses is to be construed as one and a half gallons of blackstrap molasses and one gallon of hydrol is to be construed as one gallon of blackstrap molasses.

(2) "Producer" means any person engaged in the production of molasses and includes any person who has molasses produced for him pursuant to toll agreement.

(3) "Importer" means any person who transports molasses in any manner into the continental United States. Release from the bonded custody of the United States Bureau of Customs shall be deemed a transportation.

(4) "Primary distributor" means any person, other than an importer or a producer, who sells molasses which he has acquired (other than as broker) from an importer or a producer.

(5) "Secondary distributor" means any person, other than an importer, producer or primary distributor, who sells molasses which he has acquired (other than as broker) from some person other than an importer or producer.

(6) A person may, at the same time, be an importer, a producer, a primary distributor and a secondary distributor. His classification, in a particular case, will be determined by the source of the molasses involved; i. e., with respect to molasses imported, he will be an importer, with respect to molasses acquired from a producer, he will be a primary distributor, etc.

(7) "Broker" means any person who buys and sells molasses on a fee basis as agent either for the buyer or the seller or both.

(8) "Class 1 purchaser" means any person who requires molasses in the manufacture of any one or more of the following products:

(i) Insecticides (except as provision is made therefor in paragraphs (a) (14) and (d) (3) hereof).

(ii) Lactic acid.

(iii) Graphite paste.

(iv) Printing rollers.

(v) Dye stuffs.

(vi) Ink.

(vii) Ephedrine.

(viii) Sugar for human consumption (produced from beet molasses).

(ix) Denatured rum for flavoring.

(x) Biological and pharmaceutical products for human and veterinary uses, and any person who requires molasses for any one or more of the following purposes.

(xi) Dust extraction.

(xii) Leather tanning.

(9) "Class 2 purchaser" means any person who requires molasses in the manufacture (including custom grinding) of mixed feeds (including molasses treated beet pulp).

(10) "Class 3 purchaser" means any person who requires molasses in the manufacture of any one or more of the following products:

(i) Yeast.

(ii) Citric acid.

(11) "Class 4 purchaser" means any person who requires molasses in the manufacture of vinegar and any person who requires molasses for foundry purposes.

(12) "Class 5 purchaser" means any person who requires molasses in the manufacture (including blending and/or packaging) of any one or more of the following products:

(i) Molasses (edible).

(ii) Sirup (edible).

(13) "Class 6 purchaser" means any person who requires molasses in the manufacture of other products for human consumption (not specified above).

(14) "Class 7 purchaser" means any person who requires molasses for sale directly (without the intervention of any other handler) to persons who require the same for ensilage direct feed or insect control.

(15) "Calendar quarter" means the several three month periods of the year commencing January 1, April 1, July 1, and October 1.

(16) "Calendar quarterly supply" means a quantity of molasses not in excess of the quantity used by a purchaser listed above during a corresponding calendar quarter in the twelve month period ended June 30, 1941. Purchasers shall determine a calendar quarterly supply with respect to each use specified in the applicable subparagraph above. Quantity shall in all cases be computed on a blackstrap molasses basis.

(17) "30 day supply" means a quantity of molasses not in excess of one-twelfth of the quantity used by a purchaser listed above during the twelve month period ended June 30, 1941. Purchasers shall determine a 30 day supply with respect to each use specified in the applicable subparagraph above. Quantity shall in all cases be computed on a blackstrap molasses basis.

(18) "Fiscal year" means the twelve month period commencing October 1 and ending September 30.

(19) "Yearly supply" means a quantity of molasses not in excess of the quantity used by a purchaser listed above during the twelve month period ended June 30, 1941. Purchasers shall determine a yearly supply with respect to each use specified in the applicable subparagraph above. Quantity shall in all cases be computed on a blackstrap molasses basis.

(b) *Applicability of Priorities Regulation 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1, as amended from time to time, except to the extent that any provisions hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(c) *Restrictions on deliveries.* Anything in Priorities Regulation 1 to the contrary notwithstanding:

(1) No Class 1, 2, 3, 4, 5, 6 or 7 purchaser shall, during any calendar quarter (fiscal year in the case of a Class 3 or 5 purchaser), accept deliveries of molasses in excess of the quantity set forth below less any quantity in excess of a 30 day supply on hand on the first day of the calendar quarter (fiscal

¹Formerly Part 1031, § 1031.1.

year in the case of a Class 3 or 5 purchaser) in which delivery is to be made:

(i) Class 1 purchaser—during any calendar quarter, 40% of a calendar quarterly supply if molasses is required for the manufacture of sugar for human consumption (produced from beet molasses); 100% of a calendar quarterly supply if molasses is required by such Class 1 purchaser for the manufacture of any other product.

(ii) Class 2 purchaser—during any calendar quarter, 50% of a calendar quarterly supply.

(iii) Class 3 purchaser—during a fiscal year, 120% of a yearly supply if molasses is required for the manufacture of yeast; 130% of a yearly supply if molasses is required for the manufacture of citric acid.

(iv) Class 4 purchaser—during any calendar quarter, 130 per cent of a calendar quarterly supply, if molasses is required for the manufacture of vinegar; 110 per cent of a calendar quarterly supply, if molasses is required for foundry purposes.

(v) Class 5 purchaser—during a fiscal year, 100% of a yearly supply.

(vi) Class 6 purchaser—during any calendar quarter, 100% of a calendar quarterly supply.

(vii) Class 7 purchaser—during any calendar quarter, 100% of a calendar quarterly supply.

(2) Prior to delivery of molasses, within the limitations of paragraph (c) (1) hereof, the prospective deliverer, if he be a Class 1, 2, 4, 6 or 7 purchaser, shall submit to the deliveror a certificate in substantially the following form, properly filled out and manually signed by a duly authorized official:

The delivery, in the calendar quarter ended _____ of _____ gallons of molasses (blackstrap molasses basis), in connection with which this certificate is furnished, will not, taking into consideration molasses received and to be received during the same calendar quarter from all sources and inventory on hand on the first day of such calendar quarter, be in excess of _____ per cent of a calendar quarterly supply to which the undersigned, as a Class _____ purchaser, is entitled pursuant to General Preference Order No. M-54, amended, with the terms of which order the undersigned is familiar.

Dated:

(Name of purchaser)

By _____
(Duly authorized official)

Prior to delivery of molasses, within the limitations of paragraph (c) (1) hereof, the prospective deliverer, if he be a Class 3 or 5 purchaser, shall submit to the deliveror a certificate in substantially the following form, properly filled out and manually signed by a duly authorized official:

The delivery of _____ gallons of molasses (blackstrap molasses basis), in connection with which this certificate is furnished, will not, taking into consideration molasses received and to be received during this fiscal year from all sources and inventory on hand on the first day of this fiscal year, be in excess of _____ percent of a yearly supply to which the undersigned, as a Class _____ purchaser, is en-

titled pursuant to General Preference Order No. M-54, amended, with the terms of which order the undersigned is familiar.

Dated:

By _____
(Duly authorized official)

(3) No person shall knowingly deliver molasses to any Class 1, 2, 3, 4, 5, 6 or 7 purchaser in violation of the terms of paragraphs (c) (1) and (2) hereof.

(4) Except as otherwise provided in paragraph (d) hereof, no deliveries of molasses shall be made by any producer, primary distributor, secondary distributor or importer unless the same shall have been specifically authorized by the War Production Board; and no person shall accept delivery of molasses if such delivery would be made in violation of the foregoing clause.

(5) [Revoked January 21, 1943.]

(d) *Permissive deliveries.* Subject to the provisions of Priorities Regulation No. 1, amended, (and more particularly the inventory provisions thereof) and paragraphs (f) and (g) hereof, the following deliveries of molasses shall not be subject to the provisions of paragraph (c) (4) hereof:

(1) Within the limitations of paragraphs (c) (1) and (2) hereof, deliveries to purchasers specified in paragraph (a) hereof.

(2) Deliveries to primary distributors and secondary distributors for purposes of resale. All quantities of molasses, delivery of which primary distributors and secondary distributors accept, shall be subject to allocation, re-distribution or re-delivery in accordance with specific directions which the War Production Board may from time to time hereafter issue.

(3) Deliveries by a Class 7 purchaser (of molasses to which he is entitled pursuant to paragraph (c) (1) (vii) hereof) to persons who require molasses for ensilage, direct feed or insect control.

(4) Deliveries of any one of the products specified in paragraph (a) (12) hereof which after manufacture (including blending and/or packaging) fall within the definition of molasses.

(5) Deliveries originating, completed and for use outside of the continental United States.

(6) Deliveries to an importer originating outside of the continental United States.

(e) *Restrictions on consumption.* Unless otherwise authorized by the War Production Board, no purchaser specified in paragraph (a) hereof shall, during any calendar quarter commencing with the month of January, 1942, use or consume more molasses:

(1) Than he would be permitted to receive during such calendar quarter, in the case of a Class 1, 2, 4, 6 or 7 purchaser (assuming that such purchaser had no molasses on hand on the first day of the calendar quarter).

(2) Than 110% of a calendar quarterly supply, in the case of a Class 3 purchaser.

(3) Than a calendar quarterly supply, in the case of a Class 5 purchaser.

(f) *Restrictions with respect to beverage spirits.* Except as may be otherwise provided by the War Production Board, after January 15, 1942, no person shall deliver, use, or accept delivery of molasses for the manufacture of beverage spirits.

(g) *Restrictions on export.* No molasses shall be exported by any person except upon express authorization of the War Production Board.

(h) *Intra-company transactions.* The prohibitions or restrictions contained in this order with respect to deliveries shall, in the absence of a contrary direction, apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of the same or any other enterprise owned or controlled by the same person.

(i) *Prior authorizations.* Specific mail or telegraphic authorizations heretofore issued by the War Production Board by way of relief from the provisions of this order as it existed prior to March 27, 1942, shall not be prejudiced or in any manner affected hereby.

(j) *Reports.* Reports shall be made at such times, on such forms and with respect to such matters as shall be prescribed by the Chemicals Division of the War Production Board. Importers shall notify the Chemicals Division of the War Production Board of the importation of molasses into the continental United States at least fifteen (15) days prior to movement of the same from the place of origin. The following persons shall fill out and file with the Chemicals Division of the War Production Board the forms set forth below at the times and in the manner prescribed in said forms:

Manufacturers (using molasses) of yeast, citric acid and edible syrup or molasses—Form PD-456.

Manufacturers (using molasses) of Alcohol—Form PD-457.

Producers, importers and primary distributors of molasses—Form PD-458.

(k) *Notification of customers.* Producers, distributors and importers shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but the failure to give such notice shall not excuse any person from the obligation of complying with the terms of this order.

(l) *Violations or false statements.* Any person who violates this order or who wilfully falsifies any records which he is required to keep by the terms of this order, or by the War Production Board, or otherwise wilfully furnishes false information to the War Production Board may be deprived of priorities assistance or may be prohibited by the War Production Board from obtaining further deliveries of materials subject to allocation. The War Production Board may also take any other action deemed appropriate, including the making of a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U.S.C. 80).

(m) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree

of unemployment which would be unreasonably disproportionate compared with the amount of molasses conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board, Reference: M-54, attention Chemicals Division, setting forth the pertinent facts and the reason he considers he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

(n) *Exemptions.* None of the restrictions, prohibitions or requirements contained in this order shall apply to the delivery, acceptance of delivery or use of molasses outside of the continental United States.

Issued this 23d day of October 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-17236; Filed, October 23, 1943;
12:23 p. m.]

PART 933—COPPER

[Amdt. 1 to Supp. Order M-9-b, as Amended
Aug. 24, 1943]

Section 933.3 *Supplementary Order M-9-b* is hereby amended by changing the phrase "five hundred pounds" in the third sentence of paragraph (f) to read "five thousand pounds."

Issued this 25th day of October 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-17261; Filed, October 25, 1943;
11:17 a. m.]

PART 962—IRON AND STEEL

[Direction 2 to General Preference Order
M-21-b-1]

PURCHASES OF PLATES BY WAREHOUSES FROM SCHEDULED MILL ROLLINGS*

The following direction is issued pursuant to General Preference Order M-21-b-1:

The increased demands of the armed services for plates in large quantities have limited the tonnage available to warehouses. During the fourth quarter of 1943 and the first quarter of 1944, it will be impossible for all warehouses to get from scheduled mill rollings the tonnages of plates now permitted under Order M-21-b-1. This direction is issued to modify that order so that the available supply of plates may be shared equitably among all warehouses. The modification applies only to plates; as to all other products, the order remains unchanged. Each warehouse handling plates must immediately review all its plate orders placed for delivery prior to April 1, 1944, and take any action necessary to bring the tonnage of plates ordered from scheduled rollings into line with this direction.

(a) *Seconds warehouses.* A warehouse subject to the terms of paragraph (c) (2) of the order with respect to plates must not order from scheduled mill rollings for delivery to stock during the fourth quarter of 1943 or the first quarter of 1944 more than 25 percent of the total tonnage of prime

quality plates it purchased from producers during 1940. In other words, the tonnage of prime quality plates (from scheduled rollings) which such a warehouse may order for delivery in each of these quarters is reduced from 37½ percent to 25 percent of its 1940 purchases of prime quality plates from producers. However, such a warehouse may still order up to 150 percent of its base tonnage of plates for delivery in any quarter, provided not more than the quantity above specified comes from scheduled rollings.

(b) *Large warehouses.* A warehouse having a total base tonnage of more than 100 tons for any type of steel must not order, from producers' scheduled rollings, plates of that type for delivery to warehouse stock in the fourth quarter of 1943 or the first quarter of 1944 in excess of 100 percent of its base tonnage for plates of such type. In other words, the tonnage of prime quality plates (from scheduled rollings) which such a warehouse may order for delivery in each of these quarters is reduced from 150 percent to 100 percent of its base tonnage. However, such a warehouse may still order up to 150 percent of its base tonnage of plates for delivery in any quarter, provided not more than

the quantity above specified comes from scheduled rollings.

(c) *Small warehouses.* The restrictions of paragraph (c) (3) of the order as to orders placed by a warehouse having a total base tonnage of 100 tons or less for any type of steel remain unchanged.

Issued this 25th day of October 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-17262; Filed, October 25, 1943;
11:17 a. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[Amdt. 1 to General Imports Order M-63 as
Amended Sept. 23, 1943]

Section 1042.1 *General Imports Order M-63 as amended* is hereby amended by making the following changes in List III:

Change	Material	Commerce import class number	Governing date
Add to List III.....	Rice: Paddy..... Uncleaned or brown rice..... Cleaned or milled rice..... Patna rice, cleaned, for use in canned soups..... Rice meal, flour, polish and bran..... Cornstarch..... Gum arabic or senegal (Acacia gum)..... Gum ghatti..... Gum kadayra (karaya) and talka..... Gum tragacanth..... Ouricury (uricury) wax.....	1051, 000 1051, 100 1063, 000 1054, 000 1059, 100 2815, 000 2161, 000 N. S. C. 2163, 000 2162, 000 2252, 300	Oct. 25, 1943 Oct. 23, 1943 Oct. 23, 1943 Oct. 25, 1943 Oct. 25, 1943 Oct. 25, 1943 Oct. 21, 1942 Oct. 21, 1942 Oct. 21, 1942 Oct. 21, 1942 July 2, 1943
Remove from List III.....			

Issued this 25th day of October 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-17263; Filed, October 25, 1943;
11:17 a. m.]

PART 1075—CONSTRUCTION

[Direction 1 to Conservation Order L-41]

The following direction is issued pursuant to Conservation Order L-41:

Under the terms of a recent administrative order of the War Production Board, field offices of the War Production Board are authorized to process most applications to begin construction under Conservation Order L-41 where the cost is less than \$10,000. Applications on forms WPB-617 and WPB-2570 in connection with agricultural construction and farm dwellings will continue to be filed with the Department of Agriculture County War Boards. Except as otherwise directed, all other applications to begin construction on form WPB-617 and on form WPB-2570, where the cost of the project is less than \$10,000, shall be filed in the War Production Board district office having jurisdiction over the location of the project. Those cases which cannot under the procedures be processed in the field will be forwarded by the district office to the agency or division of the War Production Board having jurisdiction. This change will be effective on October 25, 1943.

Issued this 25th day of October 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-17265; Filed, October 25, 1943;
11:17 a. m.]

PART 3208—SCHEDULED PRODUCTS

[Table 7 to General Scheduling Order M-233,
Revocation]

MISCELLANEOUS MINERALS DIVISION

Section 3208.8 *Table for Miscellaneous Minerals Division (Table 7 to General*

General Scheduling Order M-233, Revocation)

Scheduling Order M-293) is hereby revoked.

Issued this 25th day of October 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-17266; Filed, October 25, 1943;
11:17 a. m.]

PART 3270—CONTAINERS

[Conservation Order M-81, as Amended
Oct. 23, 1943]

CANS

§ 3270-31 Conservation Order M-81—
(a) **Definitions.** (1) "Can" means any unused container which is made in whole or in part of tinplate, terneplate, blackplate, or waste, and which is suitable for packing any product. The term includes any container closure or fitting made in whole or in part of tinplate, terneplate, blackplate, or waste, but does not include a closure or fitting to be used on or as a part of a glass container. The term does not include fluid milk shipping containers, as defined in Conservation Order M-200.

(2) "Tinplate" means any sheet steel coated with tin and includes "primes", "seconds", "waste-waste" (except "electrolytic waste-waste"), and all other forms of tinplate except waste.

(3) "Terneplate" means sheet steel coated with a lead-tin alloy, and includes "primes", "seconds", "waste-waste", and all other forms of terneplate except waste.

(4) "Blackplate" means any sheet steel 29-gauge or lighter, other than tinplate or terneplate. The term includes "blackplate rejects" and "electrolytic waste-waste", and all other forms of blackplate except waste.

(5) "Waste" means scrap tinplate, terneplate, and blackplate, produced in the ordinary course of manufacturing cans.

(6) "Pack" unless particularly specified, means the quantity, by area measurement, of tinplate, terneplate, and blackplate required for the manufacture of all sized cans used by a person for packing a particular product during the base period specified.

(7) "Frozen tinplate, terneplate or blackplate" means only tinplate, terneplate or blackplate which, since prior to December 9, 1942, has been held in the inventory of a can manufacturer (or in the inventory of a supplier of such plate, having been produced for the account of a can manufacturer) because it had been so processed, or was of such size, gauge or grade, that it was not suitable for the manufacture of cans for which tinplate, terneplate or blackplate are specified, without qualifications, in the "Can Material" columns of the schedules attached to this order.

(b) **Restrictions upon manufacture, sale, and delivery of cans.** (1) No person shall sell or deliver any can except under a purchase order or contract validated by a delivery to such person of a purchaser's certificate, manually signed by the purchaser or an authorized offi-

cial of the purchaser, in substantially the form attached hereto as Exhibit A. No person shall manufacture, sell, or deliver any can which he knows or has reason to believe will be used in violation of any provision of this order.

(2) No person shall manufacture any cans smaller than five gallons with ears, bails, or handles, or any metal keys for opening cans, except that the restrictions of this paragraph (b) (2) shall not apply to cans or keys to be delivered to (1) the Army, Navy, Marine Corps, Maritime Commission or War Shipping Administration of the United States (including persons operating vessels for such Commission or Administration for use thereon), pursuant to a letter of intent approved by or a purchase order or contract negotiated for or with any of these agencies, or (2) to other persons pursuant to authorization by the Maritime Commission under Form PD-300.

(c) **Restrictions upon purchase, acceptance of delivery, and use of cans.**

(1) No person shall, during any calendar year (or any seasonal year, when so specified), purchase, accept delivery of, or use for packing a product, any can except to the extent permitted in Schedules I, II, and III attached to this order: *Provided, however, That a jobber or retail store may obtain and sell cans in conformity with the provisions of this order.*

(2) The schedules attached to this order list the only products permitted to be packed in cans, packing quotas, sizes of cans, and the kinds of plate permitted for the manufacture of cans.

The calendar year basis shall obtain except for products for which a seasonal year is specified. A seasonal year for a particular product represents a twelve months' period beginning in one calendar year and ending in the next.

The sizes of the can specified for a particular product indicate the only sized cans which may be used for packing that product, except that such product may, subject to all other restrictions imposed by this order, be packed in cans larger than the largest size specified therefor.

When tinplate is specified for the manufacture of cans for packing a particular product, the coating indicated represents the maximum weight of tin coating per single base box. The term "0.50 tinplate" or "0.75 tinplate" whenever used in this order, includes "menders" arising in the production of such tinplate which have been hot dipped with a maximum tin coating of 1.25 pounds per base box. When SCMT is specified, Special Coated Manufacturers' Terneplate is referred to. When blackplate is specified, the specification includes chemically treated blackplate (CTB).

(3) No product packed in a can shall be repacked for sale in a can or any other container by the same or a different person in the same or a different form except to the extent specifically permitted in the schedules attached to this order or pursuant to Conservation Order M-104.

(4) No dried or frozen fruit or vegetable shall be packed in a can, except to

the extent specifically permitted in the schedules attached to this order.

(d) **Exceptions.** (1) The restrictions imposed by this order shall not apply to the purchase, acceptance of delivery, or use of the following cans:

(i) Cans (other than for samples distributed for the purpose of advertising or promoting the sale of a product), for packing any product which is not to be sold in the same or different form.

(ii) Fiber or paper bodied cans with ends made of waste for packing the following products: any food product for human consumption, antiseptic or medicinal powders, dental plastics, dentifrice powders, insect and rodent poisons, seed disinfectants and seed inoculants, caulking compound, cements, and photographic chemicals.

(iii) Fibre or paper bodied cans with ends made of sheets recovered from used cans. Permission to accept delivery of used cans or sheets recovered from used cans for this purpose must be obtained on Form WPB-2825, as provided under Conservation Order M-325.

NOTE: Following paragraphs (iv), (v) (vi) redesignated Oct. 23, 1943.

(iv) Open-top sanitary tinplate cans for packing any products listed in Schedules I and II attached to this order: *Provided, (a) The packer has packed and set aside the full amount of any such product which he is required to set aside pursuant to Food Distribution Order No. 22 and orders supplementary thereto; (b) the cans are not of any of the specific sizes listed for open-top sanitary cans in Schedules I or II; and (c) the cans either were manufactured on or before December 9, 1942, or were or are manufactured from parts lithographed, cut to individual size, or partially assembled on or before December 9, 1942, and/or from parts produced from tinplate which, on or before December 9, 1942, was so processed or was of such size, gauge or grade that it is not suitable for the manufacture of tinplate cans of the types and sizes permitted by this order (exclusive of cans for which "frozen tinplate" is specified).*

(v) Cans (other than open-top sanitary tinplate cans) for packing, subject to quota restrictions, any product listed in Schedules I, II, and III or, if the cans are not suitable for any such product, for packing any product not so listed: *Provided, That, in either event, the cans (a) are not of the specific sizes listed, in the schedules attached to this order, for the products for which the cans were originally designed and (b) either were completely manufactured on or before December 9, 1942, or were or are manufactured from parts cut to individual size for such cans on or before December 9, 1942.*

(vi) Cans for packing any products not listed in Schedules I and II attached to this order when such cans are to be delivered either (a) packed or empty to the Army, Navy, Marine Corps, Maritime Commission or War Shipping Administration of the United States (including persons operating vessels for such commission or Administration for use thereon), pursuant to a letter of in-

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tent approved by or a purchase order or contract negotiated for or with any of these agencies, or (b) to other persons pursuant to authorization by the Maritime Commission under Form PD-300.

(2) [Revoked April 27, 1943]

(3) No certificate shall be required for the sale or delivery of cans to any purchaser who has already filed a certificate with his seller under Conservation Order M-81.

(e) *Miscellaneous provisions*—(1) *Applicability of priorities regulations*. This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Appeals*. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal.

(3) *Communications*. All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Containers Division, War Production Board, Washington 25, D. C. Ref.: M-81.

(4) *Violations*. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further delivery of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) [Revoked April 27, 1943]

Issued this 23d day of October 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A—PURCHASER'S CERTIFICATE

One copy of this certificate is to be delivered to each person from whom purchases are made of cans made in whole or in part of tinplate, terneplate, blackplate, or waste. Such certificate shall cover all purchases present and future so long as Conservation Order M-81, in its present form or as it may be amended from time to time, remains in effect.

The undersigned purchaser hereby certifies to the seller herein and to the War Production Board that he is familiar with Conservation Order M-81, as heretofore amended, and that during the life of such order he will not use or sell any can purchased from

(Name of Seller)

(Address of Seller)

pursuant to this or future purchase orders or contracts in violation of terms of such order.

Date _____

(Legal name of Purchaser)

By _____

(Authorized Official)

(Title of Official)

(Address of Purchaser)

Section 35A of the U. S. Criminal Code (18 U. S. C. 80) makes it a criminal offense to make a false statement or representation to any department or agency of the United States as to any matter within its jurisdiction.

SCHEDULE I—FOOD CANS

NOTE: Items 39a, 25a added; items 30, 34, 35, 36, 39 and paragraph (2) amended; columns (4), (5) deleted; former columns (6), (7) redesignated (4), (5) Oct. 23, 1943.

(1) Packing quotas specified in this Schedule I indicate total packs of the respective products listed, for all purposes including cans required by any order of the War Production Board, the Department of Agriculture, or the Director of Food Distribution, to be set aside for purchase by a government agency. The designation FDO-22 indicates that cans may be used for packing only the quantity of product required to be set aside by Food Distribution Order No. 22 and orders supplementary thereto, as same may be

amended from time to time. Such quantity is hereinafter sometimes referred to as "set aside quotas."

(2) (a) [First paragraph deleted Oct. 23, 1943]

All persons manufacturing cans and all persons using cans for packing any products listed in this schedule, bearing the single asterisk in Columns (4) or (5), shall use 0.50 tinplate to the extent of not less than 50 percent of the pack of each product packed after that date.

(b) No person shall manufacture and no person shall use, for packing any products listed in this schedule, any cans made of materials except as specified in Columns (4) and (5). However, the provisions of this paragraph (b) shall not apply to cans which were or are made, from 1.25 tinplate, when the tinplate was either in process at the tin mill, in the inventory of the tin mill for the account of the can manufacturer, or in the inventory of the can manufacturer:

(i) On or before August 15, 1943 and the cans were produced specifically for items bearing either the single or double asterisk in Columns (4) or (5) as these columns appeared in the amendment of M-81 dated July 17, 1943.

(ii) On or before September 30, 1943 and the cans were produced specifically for items which in Columns (4) or (5) bear the single asterisk or specify 0.75 tinplate.

(3) Wherever the triple asterisk appears in Column (3) for any product, every canner who possesses No. 10-size can equipment shall pack at least two-thirds of his entire set-aside quota in No. 10 cans, if the fullest practicable use of that equipment provides sufficient capacity. If such use does not provide sufficient capacity, he shall pack as much of the set-aside quota in No. 10-size cans as such capacity does permit, and shall pack the balance of that quota in the other sizes of cans permitted for the particular product. The provisions of this paragraph (3) shall not in any way affect packing in glass, but only the packing of set-aside quotas in No. 10-size cans in preference to other can sizes.

Product (1)	Packing quota (2)	Can sizes (3)	Can materials	
			Body (4)	Ends (5)
FRUITS AND FRUIT PRODUCTS				
1. Apples, including crabapples. Whole apples not to be packed.	100% 1942-43	10.	1.25 tin.	1.25 tin.*
2. Apple sauce, including sauce from crabapples.	75% 1942-43	2-10***	1.25 tin.	1.25 tin.*
3. Apricots. Whole apricots not to be packed unless fully ripe and 12 or more to the pound.	FDO-22	2½-10***	1.25 tin.	1.25 tin.*
4. Blackberries, black raspberries, red raspberries, boysen berries, loganberries, and young berries when packed as berries.	Unlimited	2-2½-10***	1.50 tin.	1.50 tin.
5. Blueberries or huckleberries.	Unlimited	2-10***	1.50 tin.	1.50 tin.
6. Cherries—other than white.	Unlimited	2-2½-10***	1.25 tin.	1.25 tin.
7. Cherries—white.	50% of total frozen tonnage packed in all containers in 1942.	½ of pack in 30 lb. cans;	0.50 tin.	0.50 tin.
8. Cherries, RSP—frozen only.	Unlimited	½ of pack in 50 lb. cans.	0.50 tin.	0.50 tin.
9. Figs—(Kadota)	Unlimited	2½-10***	1.25 tin.	1.25 tin.*
10. Fruit cocktail—consisting of any combination of fruits listed in this Schedule I and grapes; provided that the combination, by drained weight, shall consist of not less than 50 percent peaches and pears, and may consist of not to exceed 10 percent grapes. Pineapple may be repacked from No. 10 or larger cans, to the extent of 10 percent of the fruit cocktail.	Unlimited	2½-10***	1.25 tin.	1.25 tin.*
10a. Mixed fruits—consisting of any combination of fruits listed in this Schedule I (with or without grapes) provided the combination by drained weight shall consist of not less than 55 percent nor more than 65 percent Diced Peaches, and not less than 35 percent nor more than 45 percent Diced Pears; or a combination of not less than 50 percent nor more than 60 percent Diced Peaches and not less than 30 percent nor more than 40 percent Diced Pears with not less than 6 percent nor more than 10 percent Grapes. Such peaches or pears shall be peeled, pitted, or cored, and diced to a size such that no more than 20 percent of the units will pass through a $\frac{1}{16}$ " standard sieve, and no more than 20 percent of the units will have a greater edge dimension than $\frac{3}{16}$ ", and so as to leave not more than 1 square inch of peel per pound of product on a drained weight basis. Not more than 10 percent of the grapes shall be cracked or crushed or have attached cap stems. No fruit may be packed under this item until the packer has packed and set aside his full quota for that fruit as established pursuant to Food Distribution Order No. 22 and orders supplementary thereto.	Unlimited	2½-10	1.25 tin.	1.25 tin.*

SCHEDULE I—FOOD CANS—Continued

Product (1)	Packing quota (2)	Can sizes (3)	Can materials	
			Body (4)	Ends (5)
FRUITS AND FRUIT PRODUCTS—continued				
11. Grapefruit, segments.....	FDO-22	2	1.25 tin.....	1.25 tin.
12. Grapefruit juice.....	Unlimited	2-3 cyl-10***	1.25 tin.....	1.25 tin.
13. Olives—ripe and green-ripe.....	25% 1941-42	10	1.25 tin.....	1.25 tin.*
14. Orange juice.....	FDO-22	2-3 cyl-10***	1.25 tin.....	1.25 tin.
15. Orange-grapefruit juice blended (50% orange—50% grapefruit).....	FDO-22	2-3 cyl-10***	1.25 tin.....	1.25 tin.*
16. Peaches (freestone), halves, slices or cubes.....	Unlimited	2½-10***	1.25 tin.....	1.25 tin.*
17. Peaches (freestone), halves, slices, or cubes. Not to be packed in California.....	Unlimited	2½-10***	1.25 tin.....	1.25 tin.*
18. Pears, halves, slices, or cubes.....	Unlimited	2½-10***	1.25 tin.....	1.25 tin.*
19. Pineapple, slices, chunks, crushed or tidbits. Spears not to be packed.....	Unlimited	2-2½-3 cyl-10***	1.25 tin.....	1.25 tin.
20. Pineapple juice.....	Unlimited	2-3 cyl-10***	1.25 tin.....	1.25 tin.
21. Plums.....	Unlimited	2½-10.....	1.50 tin.....	1.50 tin.
22. Prunes, fresh Italian. Not to be packed in California.....	100% 1942	2½-10.....	1.50 tin.....	1.50 tin.
VEGETABLES AND VEGETABLE PRODUCTS				
23. Asparagus, all-green or culturally bleached.....	Unlimited	2-2½-10***	1.25 tin.....	0.50 tin.
24. Beans, green or wax.....	Unlimited	2-2½-10***	1.25 tin.....	0.50 tin.
25. Fresh shelled beans (whether referred to as beans or peas) Lima beans.....	Unlimited	2-2½-10***	0.50 tin.....	CTB.
Other fresh shelled beans, including but not limited to blackeyed peas or beans, field peas, soy beans.....		2-2½-10.....		
26a. Beans, with or without pork or tomato sauce, excluding kidney beans.....	Total pack in 1943 not to exceed 35% 1941 pack.	Only sizes not speci- fied in Schedules I or II.	Frozen tin- plate.	Frozen tin- plate.
26. Beets. Whole beets over 1½" diameter not to be packed.....	100% 1942	2-2½-10***	1.25 tin.....	0.50 tin.
27. Carrots. Whole carrots not to be packed.....	130% 1942	2-2½-10***	1.25 tin.....	0.50 tin.
28. Corn, fresh, sweet, cut. Cream style.....	Unlimited	2-10.....	0.50 tin.....	CTB.
Whole kernel.....		2-2 vacuum (307 x 306) for vacuum pack- 10***		
29. Mixtures of vegetables (except succotash, and peas and carrots) which consist of not less than 90 percent of any combination of vegetables listed in this schedule (or of any such combination and celery, onions, and peppers); <i>Provided</i> , That the combination, by drained weight, shall consist of not more than 60 percent of any one vegetable; and, <i>Provided, further</i> , That no vegetable may be packed under this item until the packer has packed and set aside his full quota for that vegetable as established pursuant to Food Distribution Order No. 22 and orders supplementary thereto.	75% 1941.....	2 vacuum (307 x 306) 2-2½-10.....	1.25 tin.....	0.50 tin.
29a. Succotash— <i>Provided</i> , That no vegetable may be packed under this item until the packer has packed and set aside his full quota for that vegetable as established pursuant to Food Distribution Order No. 22 and orders supplementary thereto.	Unlimited	2-2½-10.....	0.50 tin.....	CTB.
30. Mushrooms.....	50% 1941-42	2 oz-4 oz-8oz	1.25 tin.....	0.50 tin.
31. Okra.....	100% 1940	2-2½-10.....	1.25 tin.....	0.50 tin.
32. Tomatoes and okra.....	100% 1940	2-2½-10.....	1.25 tin.....	1.25 tin.*
33. Peas, green.....	Unlimited	2-2 vacuum (307 x 306) for vacuum pack- 10***	0.50 tin.....	CTB.
33a. Peas and carrots—fresh green peas only. Carrots not to exceed 40 percent of total drained weight. No vegetable may be packed under this item until the packer has packed and set aside his full quota for that vegetable as established pursuant to Food Distribution Order No. 22 and orders supplementary thereto.				
34. Pumpkin and squash.....	125% 1942	2½	1.25 tin.....	0.50 tin.
34a. Sweet potatoes—including yams.....	50% 1941	2½-3 Vac	1.25 tin.....	0.50 tin.
35. Soups: Limited to the below-listed kinds of seasonal and nonseasonal soups containing, in the case of all soups except mushroom and bean, no less than the specified percentage, by weight, of dry solids from dairy products in any form, poultry or poultry products in any form, fresh, brined, or frozen meats, fish, vegetables, and other products of the kinds listed in Schedules I and II. Mushroom or bean soups shall contain no less than the specified percentage of salt-free solids.				
a. Seasonal soups.	Unlimited	2-2½-10.....	1.25 tin.....	0.50 tin.
Kinds:				
Asparagus.....	7% dry solids.			
Pea.....	7% dry solids.			
Spinach.....	7% dry solids.			
Tomato.....	7% dry solids.			
Mushroom.....	18½% salt-free solids.			
b. Non-seasonal soups.	Unlimited	1 picnic.....	0.50 tin.....	0.50 tin.
Kinds:				
Chicken, chicken gumbo, chicken noodle, gumbo creole, consomme, bouillon.....	6% dry solids.			
Clam or fish chowders, turtle.....	8% dry solids.			
Scotch broth, vegetable, vegetable-vegetarian, pepper pot, oxtail, mock turtle, country style chicken, and corn chowder.....	10% dry solids.			
Beef and vegetable-beef.....	12% dry solids.			
Bean [from dried beans].....	23% salt-free solids.			
36. Green leafy vegetables.	75% of total 1942 pack of specified non-sea- sonal soups.	1 picnic.....	0.50 tin.....	0.50 tin.
Spinach.....				
Other green leafy vegetables, limited to beet, collard, dandelion, kale, mustard, poké, and turnip greens	80% 1942	2-2½-10***	1.25 tin.....	0.50 tin.
37. Tomatoes.	Unlimited	2-2½-10***	1.25 tin.....	1.25 tin.*
38. Tomato catsup, not less than 25 percent (specific gravity 1.11), by weight of total dry solids.	FDO-22	2½-3 cyl-10***	1.25 tin.....	1.25 tin.*
39. Tomato juice, containing no other vegetable juices.	Unlimited	2-3 cyl-10***	1.25 tin.....	0.50 tin.
39a. Tomato juice, containing not more than 30% of other vegetable juices.	Unlimited	2-3 cyl-10***	1.25 tin.....	1.25 tin.*
40. Tomato sauce, including spaghetti sauce, containing not less than 8.7 percent (specific gravity 1.037), by weight of dry tomato solids and not less than 10.0 percent (specific gravity 1.042) by weight of total dry solids, salt free. In addition to salt, the contents may contain pepper, spice oils, and other flavoring ingredients.	Unlimited	2-10***	1.25 tin.....	1.25 tin.*
41. Tomato paste from fresh tomatoes, containing not less than 25 percent, by weight of dry tomato solids.	125% 1942 pack sizes 8Z and 1 picnic.	5 gal reusable 8Z-1 picnic	1.25 tin.....	1.25 tin.
42. Tomato pulp or puree, from fresh tomatoes, containing not less than 10.7 percent (specific gravity 1.045) or more than 25 percent, by weight of dry tomato solids.	Unlimited	2½-10***-12 5 gal reusable	1.25 tin.....	1.25 tin.*
	125% 1942 pack of size 6Z	6Z	1.25 tin.....	1.25 tin.*
	Unlimited	2-2½-10***	1.25 tin.....	1.25 tin.*
	125% 1942 pack of size 1 picnic.	5 gal reusable 1 picnic	1.25 tin.....	1.25 tin.*

NOTE: Tomato paste, tomato pulp or puree and tomato sauce, may be repacked from No. 10, or from 5 gal. or larger reusable cans when required for packing other products, or for repacking in different form (other than in the form of tomato paste, or tomato pulp or puree) but none may be repacked in the same form. No. 10 cans cut under this provision must be properly cleaned and returned to the nearest decomming plant.

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SCHEDULE I—FOOD CANS—Continued

Product (1)	Packing quota (2)	Can sizes (3)	Can materials	
			Body (4)	Ends (5)
FISH AND SHELLFISH (Processed, and in hermetically sealed cans)				
43. Clams, soft, hard, or razor.....	Unlimited.....	1/2 flat (307 x 200.25) (307 x 201.25)-1 pic- nic (211 x 400)-1 tall (301 x 411)-2 (307 x 409)-10 (6 3 x 700).	0.50 tin.....	0.50 tin
44. Crabmeat.....	Unlimited.....	1/2 flat (307 x 201.25)-	0.50 tin.....	0.50 tin
45. Fish flakes. Dried fish flakes not to be packed.....	Unlimited.....	300 (300 x 407)-2 (307 x 409).	0.50 tin.....	0.50 tin
46. Ground fish, containing no filler and packed for human consumption only.....	Unlimited.....	300 (300 x 407).....	0.50 tin.....	0.50 tin
47. Fish livers and fish liver oils.....	Unlimited.....	5 gal. reusable.....	1.25 tin.....	1.25 tin
48. Fish roe.....	Unlimited.....	300 (300 x 407)-1/2 oval (513 x 307 x 103).	0.50 tin.....	0.50 tin
49. Herring, Atlantic Sea, by whatever name known, including sardines.....	Unlimited.....	1/4 drawn (300.5 x 404 x 014.5)-1/4 drawn (304 x 508 x 105)-1/4 three piece (308 x 412 x 112)- 300 (300 x 407).	.....	.....
Packed in brine.....				
Packed in oil.....	.....	.....	0.50 tin.....	0.50 tin
Packed in mustard or tomato sauce.....	.....	.....	0.50 tin.....	CTB
50. Herring, Pacific Sea.....	Unlimited.....	1 tall (301 x 411)	1.25 tin.....	1.25 tin*
Packed in brine.....	.....	.....	0.50 tin.....	0.50 tin
Packed in oil.....	.....	.....	0.50 tin.....	CTB
Packed in mustard or tomato sauce.....	.....	.....	1.25 tin.....	1.25 tin*
51. Herring, river (alewives).....	Unlimited.....	300 (300 x 407)-2 (307 x 409).	0.50 tin.....	0.50 tin
52. Mackerel.....	Unlimited.....	300 (300 x 407).....	0.50 tin.....	0.50 tin
53. Menhaden.....	Unlimited.....	300 (300 x 407).....	0.50 tin.....	0.50 tin
54. Mullet.....	Unlimited.....	300 (300 x 407).....	0.50 tin.....	0.50 tin
55. Mussels.....	Unlimited.....	1 picnic (211 x 400)-2 (307 x 409)-10 (603 x 700).	0.50 tin.....	0.50 tin
56. Oysters. No. 1 picnic cans shall contain not less than 7 1/2 ounces of oysters by cut-out drained weight; No. 2 cans 14 ounces; and other permitted size cans shall contain a fill correspondingly proportionate to the No. 1 picnic can.	.....	1 picnic (211 x 400)-1 tall (301 x 411)-2 (307 x 409).	0.50 tin.....	0.50 tin
57. Pilchards, by whatever name known including sardines.....	Unlimited.....	8Z short (211 x 300)- 1/2 oblong (304 x 508 x 103)-(306 x 510 x 104)-300 (300 x 407)- 1 oval (607 x 406 x 108).	.....	.....
Round and oval cans:				
Packed in brine.....	.....	.....	0.50 tin.....	0.50 tin
Packed in oil.....	.....	.....	0.50 tin.....	OTB
Packed in mustard or tomato sauce.....	.....	.....	1.25 tin.....	1.25 tin*
Oblong cans:				
Packed in brine.....	.....	.....	1.25 tin.....	0.50 tin
Packed in oil.....	.....	.....	1.25 tin.....	CTB
Packed in mustard or tomato sauce.....	.....	.....	1.25 tin.....	1.25 tin*
58. Salmon.....	Unlimited.....	1/2 flat (307 x 200.25) (307 x 201.25)-1 flat (401 x 210.5) (401 x 211)-1-tall (301 x 411).	1.25 tin.....	0.50 tin
59. Shad.....	Unlimited.....	300 (300 x 407).....	0.50 tin.....	0.50 tin
60. Shrimp.....	Unlimited.....	1 picnic (211 x 400)-5 (502 x 510).	0.50 tin.....	0.50 tin
61. Squid.....	Unlimited.....	300 (300 x 407).....	0.50 tin.....	0.50 tin
62. Tuna, bonito, and yellowtail.....	Unlimited.....	1/2 tuna (307 x 113)-1 tuna (401 x 205.5)-4 lb. tuna (603 x 408).	0.50 tin.....	0.50 tin
63. Turtle.....	Unlimited.....	300 (300 x 407).....	0.50 tin.....	0.50 tin
DAIRY PRODUCTS				
64. Condensed milk, as defined by the Federal Security Administrator, FEDERAL REGISTER July 2, 1940, § 18.525, page 2444 and § 18.530, page 2445, as amended, FEDERAL REGISTER August 8, 1941, pages 3973 and 3974.	100% 1942.....	14 oz.....	0.75 tin.....	0.75 tin
65. Evaporated milk as defined by the Federal Security Administrator. FEDERAL REGISTER, July 2, 1940, § 18.520, page 2444.	Unlimited.....	8 lb.....	0.75 tin.....	0.75 tin
95% 1942 pack of 14 1/2 oz. size.....	95% 1942 pack of 14 1/2 oz. size.....	14 1/2 oz.....	0.75 tin.....	0.75 tin
95% 1942 pack of 6 oz. size.....	95% 1942 pack of 6 oz. size.....	6 oz.....	0.75 tin.....	0.75 tin
90% 1942.....	90% 1942.....	14 1/2 oz.....	0.75 tin.....	0.75 tin

SCHEDULE II—FOOD CANS

NOTE: Paragraph (2), footnote 1 amended; columns (4), (5) deleted; former columns (6), (7), redesignated (4), (5) Oct. 23, 1943.

(1) Packing quotas specified in this Schedule II indicate permitted packs of the respective products listed, for all purposes except for the Army, Navy, Marine Corps, Maritime Commission or War Shipping Administration of the United States (including persons operating vessels for such Commission or Administration for use thereon), or for any agency of the United States purchasing for a foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend Lease Act). While the restrictions pertaining to can sizes and can materials are applicable to such cans, cans used for packing the respective products listed shall be in addition to the specified quotas, when delivered either (a) pursuant to a letter of intent approved by, or a contract or purchase order negotiated with or for, any of the foregoing agencies,

or (b) to other persons pursuant to authorization by the Maritime Commission under Form PD-300. The word "none" indicates that no cans shall be used for packing the applicable product except for the above-mentioned agencies. When determining a quota for packing a product listed in this Schedule II, cans packed during the base period (1942) for the above-mentioned agencies shall be excluded.

(2) (a) [First paragraph deleted Oct. 23, 1943].

All persons manufacturing cans and all persons using cans for packing any products listed in this schedule, bearing the single asterisk in Columns (4) or (5), shall use 0.50 tinplate to the extent of not less than 50 percent of the pack of each product packed after that date.

(b) No person shall manufacture and no person shall use, for packing any products

listed in this schedule, any cans made of materials except as specified in Columns (4) and (5). However, the provisions of this paragraph (b) shall not apply to cans which were or are made, from 1.25 tinplate, when the tinplate was either in process at the tin mill, in the inventory of the tin mill for the account of the can manufacturer, or in the inventory of the can manufacturer:

(i) On or before August 15, 1943 and the cans were produced specifically for items bearing either the single or double asterisk in Columns (4) or (5) as these columns appeared in the amendment of M-81 dated July 17, 1943.

(ii) On or before September 30, 1943 and the cans were produced specifically for items which in Columns (4) or (5) bear the single asterisk or specify 0.75 tinplate.

SCHEDULE II—FOOD CANS—Continued

Product (1)	Packing quota (2)	Can sizes (3)	Can materials	
			Body (4)	Ends (5)
MEATS AND MEAT PRODUCTS (Processed and in hermetically sealed cans)				
1. Bacon	None	24 oz. 14 lb.	0.50 tin. 1.25 tin.	CTB. (Btm. 0.50 tin. (Top 1.25 tin.)
2. Beef, veal, mutton, and pork (including tushonka); corned, roast, or boiled, and containing not less than 85 percent meat by cooked weight.	None	Any size.	1.25 tin.	1.25 tin.
Cans with all seams soldered.		Any size.	0.50 tin.	CTB.
Cans with only side seams soldered.		10½ oz.	0.50 tin.	CTB.
3. Brains	100% 1942	7 oz.	0.50 tin.	CTB.
4. Meat products as follows:		3 oz.	0.50 tin.	CTB.
a. Chili con carne when packed without beans and containing not less than 50 percent meat, by uncooked weight, exclusive of added tallow.	(1)	4 oz.	0.50 tin.	CTB.
b. Meat loaf, containing not less than 90 percent meat, by uncooked weight, and no added water. When packed as a chopped product, meat loaf may contain not more than 10 percent of the following ingredients: cereal, whole milk, eggs, and seasoning.	(1)	No. 5.	0.50 tin.	CTB.
c. Meat spreads, including ham, tongue, liver, beef, and sandwich spreads. When packed as a spread, the chopped product shall contain not less than 65 percent meat, by cooked weight, with added cereal or other products. When packed as deviled ham or deviled tongue, the product shall consist of chopped meat without added cereal or other products.	(1)	24 oz.	0.50 tin.	CTB.
d. Sausage in casings, containing no cereal or similar substance and not to exceed 10 percent added water, by weight, except pork sausage, which may be prepared with not to exceed 3 percent added water by weight:	(1)	12 oz.	0.50 tin.	CTB.
Vienna sausage, pork sausage.	(1)	3½ oz.	0.50 tin.	CTB.
Sausage in oil, lard or rendered pork fat.	(1)	50% 1942.	0.50 tin.	CTB.
e. Bulk sausage meat, containing not to exceed 3½ percent cereal and not to exceed 3 percent added water, by weight.	(1)	8 oz.	0.50 tin.	CTB.
f. Chopped luncheon meats, consisting of chopped, seasoned meat with not to exceed 3 percent added water, by weight.	(1)	1 lb.	0.50 tin.	CTB.
g. Potted meat, consisting of chopped meat or by-products of meat, without added cereal or similar substance, and labeled as a potted or deviled meat product.	(1)	202 BF (202-x 214)	1.50 tin.	150 tin.
5. Tongue				
6. Turkey, boned, and chicken, boned.	None			
MISCELLANEOUS FOODS				
7. Baby foods: Consisting of food products of small particle size or in liquid or semi-liquid form made from the following ingredients: fruits, vegetables, meats, poultry products, dairy products, sugar, salt, or seasoning, yeast or yeast derivatives. Dried Prunes may be included and frozen fruits and vegetables may be used. Potatoes and cereal products may be used only in combination with other permitted products, and only provided the combined potato and cereal content does not exceed 12 percent, by weight, of the total product. Pineapple may be repacked from No. 10 or larger cans.	125% 1942			
Milk formulas and soybean milk liquid.	100% 1942	14½ oz.	0.75 tin.	0.75 tin.
Milk formulas, dry or powdered.	150% 1942	1 lb.	0.50 tin.	CTB.
No person shall pack any milk formulas unless he packed the product in substantially the same form in 1942.				
8. Dehydrated vegetables.	None	10. 15 gal.	0.50 tin. 0.50 tin.	CTB. 0.50 tin.
9. Grape juice and grape pulp.	100% 1942	5 gal reusable.	1.50 tin.	1.50 tin.
10. Citrus pulp and citrus peel.	100% 1942	5 gal reusable.	1.25 tin.	1.25 tin.
11. Honey.	Unlimited	60 lb reusable.	1.25 tin.	1.25 tin.
12. Goat's milk.	100% 1942	14½ oz.	0.75 tin.	0.75 tin.
13. Milk, skimmed, dry or powdered.	None	50 lb.	0.50 tin.	0.50 tin.
14. Milk, whole, dry or powdered.	100% 1942	1 lb-2½ lb., 5 lb. 25 lb-50 lb.	0.50 tin. 0.50 tin.	CTB. 0.50 tin.
15. Special food products: limited to foods other than usual table foods. No person shall pack any special food product unless he packed the product in substantially the same form in 1942, and unless he obtains prior permission upon application to the War Production Board.	See product column.			
16. Liquid edible oils, including only animal, vegetable, olive, fish and other marine animal and edible blends of such oils.	50% 1942 pack of size 5 gal.	5 gal. reusable.	1.25 tin.	1.25 tin.
17. Citrus concentrates.	None	10.	1.25 tin.	1.25 tin.
18. Butter and oleomargarine.	None	10.	1.25 tin.	0.50 tin.
19. Maple syrup, limited to syrup made by the evaporation of maple sap, containing not more than 25 percent water and weighing not less than 11 pounds to the gallon.	Unlimited	1 gal.	Frozen tin-plate.	Frozen tinplate.
20. Pectin, liquid only.	Unlimited	5 gal. reusable.	1.50 tin.	1.50 tin.
FISH AND SHELLFISH (For refrigerated shipment, fresh)				
21. Oysters, fresh-shucked: July 1, 1943 to October 1, 1943.	100% of corresponding period 1942.	1 gal. (pint cans are permitted within quota limits for shipment into States which required delivery of oysters in tamper-proof consumer packages prior to 7/1/43).	CTB.	CTB.
October 1, 1943 to December 31, 1943.	75% of corresponding period 1942.			
22. Clams, fresh-shucked: July 1, 1943 to October 1, 1943.	100% of corresponding period 1942.	1 gal.	CTB.	CTB.
October 1, 1943 to December 31, 1943.	75% of corresponding period 1942.			
23. Mussels, fresh-shucked: July 1, 1943 to October 1, 1943.	Unlimited.	1 gal.	CTB.	CTB.
October 1, 1943 to December 31, 1943.	75% of total poundage shucked during this period.			
24. Fillets & steaks, fresh: July 1, 1943 to October 1, 1943.	100% of corresponding period 1942.	20 lb.	CTB.	CTB.
October 1, 1943 to December 31, 1943.	50% of corresponding period 1942.			
25. Crabmeat, fresh-cooked: July 1, 1943 to October 1, 1943.	100% of corresponding period 1942.	1 lb.	CTB.	CTB.
October 1, 1943 to Dec. 31, 1943.	60% of corresponding period 1942.			
26. Lobster meat, fresh-cooked: July 1, 1943 to October 1, 1943.	100% of corresponding period 1942.	1 lb.	CTB.	CTB.
October 1, 1943 to Dec. 31, 1943.	60% of corresponding period 1942.			
27. Shrimp, fresh-cooked—to be packed in Alaska only.	Unlimited	1 gal.	CTB.	CTB.

1 100% of total 1942 pack of meat products, a, b, c, d, e, f, and g.

SCHEDULE III—NON-FOOD CANS

Note: Items 10, 23, 24, 26, 35, 42, 48 amended, footnote 1 added Oct. 23, 1943.

(1) Packing quotas specified in this Schedule III indicate permitted packs of the respective products listed, for all purposes except for the Army, Navy, Marine Corps, Maritime Commission or War Shipping Administration of the United States (including persons operating vessels for such Commission or Administration for use thereon), or for any agency of the United States purchasing for a foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the

Defense of the United States" (Lend-Lease Act). Cans used for packing the respective products listed shall be in addition to the specified quotas, when delivered either (1) pursuant to a letter of intent approved by, or a contract or purchase order negotiated with or for, any of the foregoing agencies, or (2) to other persons pursuant to authorization by the Maritime Commission under Form PD-300. The word "none" indicates that no cans shall be used for packing the applicable product except for the above-mentioned agencies. When determining a quota for packing a product listed in this Schedule III, cans

packed during the base period (1942) for the above-mentioned agencies shall be excluded.

(2) Wherever blackplate is specified for making the body or ends of a can for packing a product listed in this Schedule III, Special Coated Manufacturers' Terneplate, may be substituted for making any part or fitting of the can which is required to be soldered. Wherever SCMT is specified for making the body or ends of cans for packing a product listed in this Schedule III, black plates or sheet steel coated with lead containing not more than $2\frac{1}{2}$ % residual tin may be used.

(3) [Deleted Oct. 23, 1943.]

Product (1)	Packing quota (2)	Can sizes (3)	Can materials	
			Body (4)	Ends (5)
1. Abrasives, and grinding and buffing compounds. Not to be packed dry.	Unlimited	Any size.	Blackplate.	Blackplate.
2. Acid nitro-hydrochloric (outer Container).	100% 1942	1-lb.	Blackplate.	Blackplate.
3. Aniline.	100% 1942	5-lb.	1.25 tin.	1.25 tin.
4. Bee feeder cans, friction top, for use in shipping bees.	100% 1942	2-2½-3.	0.50 tin.	CTB.
5. Benzol, naphtha, toluene, and xylene.	100% 1942	1-gal.	SCMT.	Blackplate.
6. Blood plasma.	Unlimited	Any size.	0.50 tin.	CTB.
7. Calcium carbide.	100% 1942	2-lbs, 10-lbs.	Blackplate.	Blackplate.
8. Calcium hypochlorite, Grade A.	100% 1942	3½-lbs., 5-lbs.	SCMT.	Blackplate.
9. Carbon bisulfide.	100% 1942	1-lb.	SCMT.	SCMT.
10. Cements and dressings, limited to belting, furnace, linoleum, pipe joint, and radiator. Not to be packed dry.	100% 1942	Any size.	Blackplate.	Blackplate.
11. Cements, rubber, solvent, or latex.	100% 1942	1-qt., 1-gal.	Blackplate.	Blackplate.
12. Chloroform, bromacetone, monochloracetone, and acrolein.	100% 1942	1-lb.	SCMT.	SCMT.
13. Chloroform and ether.	100% 1942	Any size.	1.25 tin.	1.25 tin.
14. Chromic acid (outer container).	100% 1942	½-lb., 1-lb.	Blackplate.	Blackplate.
15. Chromium trioxide.	100% 1942	25-lb.	Blackplate.	Blackplate.
16. Creosote.	100% 1942	1-gal.	SCMT.	Blackplate.
17. Cyanide, calcium, potassium sodium, and mixtures (including cyanide-chloride mixtures).	100% 1942	1-lb., 2½-lbs.	SCMT.	Blackplate.
18. Fire extinguisher fluid, limited to chlorinated hydrocarbon type, and foam powder extinguisher charges.	100% 1942	1-qt., 1-gal.	SCMT.	SCMT.
19. Gasket assembling compounds.	100% 1942	1-qt., 1-gal.	Blackplate.	Blackplate.
20. Glues and adhesives, liquids.	100% 1942	1-gal.	SCMT.	SCMT.
21. Grain fumigant, liquid.	100% 1942	1-qt., 1-gal.	Blackplate.	Blackplate.
22. Graphite, with liquid content.	100% 1942	1-lb., 5-lbs., 10-lb., 25-lb.	Blackplate.	Blackplate.
23. Greases, lubricating.	60% 1942	8-oz., 12 oz., 1-lb., 2-lb., 5-lb., 10-lb., 25-lb., 50-lb.	Blackplate.	Blackplate.
24. Inks, printing, duplicating, and lithographing. Slip cover style cans of sizes based upon cans which hold the indicated weights of water.	100% 1942	5-gal.	SCMT.	SCMT.
25. Ink, spirit nitro and rotogravure.	100% 1942	13-oz.	Blackplate.	Blackplate.
26. Lye, and caustic soda.	100% 1942	12-oz.	Blackplate.	Blackplate.
27. Drain cleaner.	75% 1942	10-oz.	Blackplate.	Blackplate.
28. Toilet bowl cleaner, limited to cleaners containing not less than 70% bisulphite of soda: Until September 20, 1943.	75% 1942	10-oz.	Blackplate.	Blackplate.
After September 30, 1943.	12% 1942	10-oz.	Fiber.	Blackplate.
29. Nicotinic sulphate.	Unlimited	5-lb.	1.50 tin.	1.50 tin.
30. Nitric acid, fuming (outer Container).	100% 1942	½-lb., 1-lb.	Blackplate.	Blackplate.
31. Oils, essential; distilled or cold pressed.	100% 1942	1-qt.	1.25 tin.	1.25 tin.
32. Oils, transformer.	100% 1942	1-gal.	0.50 tin.	0.50 tin.
33. Ointment and salve.	Unlimited	Any size.	Limited to frozen tinplate and frozen blackplate and blackplate rejects.	
34. Paints, copper bottom or antifouling.	1-gal.	1.25 tin.		
35. Paints. Pigmented oil or oleoresinous, ready mixed, semipaste and paste, including but not limited to white lead in oil, colors in oil, pigmented lacquers, resin emulsion paste, casein paste, and vegetable protein paste paints.	65% 1942	1-gal.	Blackplate.	Blackplate.
	1-gal.	Fiber.	Blackplate.	Blackplate.
	1-qt.	Fiber.	Blackplate ring. Plug and bottom made from waste blackplate recovered in manufacture of ends for 1-gal fiber bodied paint cans.	
36. Phenol.	14-pt.	Fiber.	Terneplate or blackplate waste.	
37. Phosphoric acid meta sticks.	100% 1942	5-lb.	1.50 tin or frozen charcoal tinplate.	
38. Phosphorus.	100% 1942	25-lb.	Blackplate.	
39. Potassium hydroxide.	100% 1942	1-oz., ½-lb., 1-lb.	1.25 tin.	
40. Potassium permanganate, reagent grade.	100% 1942	25-lb.	Blackplate.	
41. Potassium sulfide.	100% 1942	5-lb.	1.25 tin.	
42. Shoe polish, leather dressing, and saddle soap. (Cans for these items may be furnished with levers if previously used.)	100% 1942	25-lb.	Blackplate.	
43. Soap, paste, limited to mechanic's hand soap.	100% 1942	Any size.	Frozen blackplate and blackplate rejects.	
44. Sodium and potassium metals.	100% 1942	3-lb.	Frozen blackplate and blackplate rejects.	
45. Sodium hydroxide.	100% 1942	1-oz., ½-lb., 1-lb.	1.25 tin.	
46. Sodium peroxide.	100% 1942	25-lb.	Blackplate.	
47. Sodium sulfide.	100% 1942	1-oz., ½-lb., 1-lb.	Blackplate.	
48. Soldering pastes, soldering and welding fluxes, and boiler sealing compounds.	100% 1942	25-lb.	Blackplate.	
49. Zinc chloride.	100% 1942	Any size.	Blackplate.	
50. Dangerous chemicals for shipment in compliance with Interstate Commerce Commission regulations when a metal can is required by such regulations and no alternate package is permitted.	100% 1942	25-lb.	Blackplate.	
	Any size.	Blackplate.	Blackplate.	

¹ Canners of ink may pack their product in cans made on or before Oct 1, 1943 for packing ink but of sizes not now permitted and charge to their packing quota only 75% of the area of these cans.

INTERPRETATION 1

[Incorporated into order as paragraph (a) (7) on Oct. 23, 1943.]

[F. R. Doc. 43-17267; Filed, October 25, 1943; 11:18 a. m.]

PART 3270—CONTAINERS

[Limitation Order L-232 as Amended October 25, 1943]

WOODEN SHIPPING CONTAINERS

§ 3270.5 Limitation Order L-232—(a) Definitions. For the purposes of this order:

(1) "Wooden shipping container" means any new shipping container made wholly or partially of wood which is used for the shipment and delivery of commodities. The term does not include trunks, luggage, military locker boxes, or boxes consisting of more than 50% of corrugated or solid fibre (by area).

(2) "Shipper" means any person to whom a bill of lading or manifest is issued, or, in cases where these are not issued, any person who authorizes the shipment of a commodity.

NOTE: Paragraph (b) (1) added; former paragraphs (b) (1), (b) (2), (b) (3), (b) (4) redesignated (b) (2), (b) (3), (b) (4), (b) (5), Oct. 25, 1943.

(b) *Restrictions—(1) Manufacture, sale or delivery of containers.* No person shall manufacture, sell or deliver any wooden shipping containers or parts which he knows or has reason to believe will be used or accepted in violation of any provision of this order.

(2) *Manufacture and assembly of containers.* No person shall commercially manufacture or assemble any wooden shipping container for the purposes described in the several tables of Schedule A, which does not meet the specifications contained in those tables. The restrictions of this paragraph shall not apply to barrels, drums, kegs, kits or pails.

(3) *Manufacture of container parts.* No person shall commercially manufacture any wooden parts designed for any wooden shipping container described in the several tables of Schedule A which, when assembled, will not conform with the specifications of those tables. The restrictions of this paragraph shall not apply to barrels, drums, kegs, kits or pails.

(4) *Coloring.* No manufacturer, dealer in, or commercial user of wooden shipping containers or parts shall dye, stain, or otherwise color containers or parts which are described in Schedule A. The restrictions of this paragraph shall not apply to barrels, drums, kegs, kits or pails.

(5) *Printing.* All stamping, printing and labeling, unless otherwise required by law, shall be placed on only one outside surface of any wooden shipping container covered by the Schedules of this order, whether it be an end, a side, bottom, top or cover. The restrictions of this paragraph (b) (5) shall not apply

to barrels, drums, kegs, kits or pails or to paper, labels or markings which only:

(i) State the capacity of the container in terms of whole or fractional pints, quarts, pecks, or bushels; or

(ii) in the case of baskets and hampers are identifying markings provided for in regulations of the Secretary of Agriculture issued under the United States Standard Container Act of 1928; or

(iii) are designed for the purpose of encouraging salvage and reuse of the container, provided the label or printing does not include the name, brand, trade-mark or other reference to any person, firm, partnership or corporation.

(c) *Restrictions on packing and shipping.* (1) No person shall commercially ship in any wooden shipping container any of the commodities listed in Table I of Schedule B. This shall not, however, restrict the shipment of any commodity listed which has already been packed on the date it was included in this Table.

(2) No person shall commercially pack for shipment in any calendar or seasonal year, whichever is specified, any commodity listed in Table II of Schedule B in wooden shipping containers to an extent greater than the designated percentage of that commodity that he packed for shipment in wooden shipping containers in the specified base period.

(3) Except as permitted by this paragraph, no person shall ship in wooden shipping containers during any calendar or seasonal year, whichever is specified, any commodity listed in Table II of Schedule B (whether such commodities were packed by himself or received by him from growers or other packers) to an extent greater than the designated percentage of that commodity that he shipped in wooden shipping containers for the same grower or packer during the base period. Any grower or other packer may change his shipper. Any shipper may increase the amount of any commodity which he may ship for any grower or other packer, to the extent that the excess results from a change of shippers by the grower or packer. However, he may do this only if he reports by letter to the War Production Board, giving the name and address of the former shipper, the commodity, and the amount of the commodity which was shipped through the former shipper in the base period. This report shall be filed within ten (10) days after the transfer of the quota, or if the transfer shall have taken place before September 8, 1943, then within ten (10) days after September 8, 1943. Where a grower or packer does his own shipping he shall not have a separate quota in his capacity as grower and as shipper; and where a grower or packer changes his shipper so that he may do his own shipping, he must file the report called for in this paragraph (c) (3).

(4) [Deleted Oct. 25, 1943.]

(d) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order,

wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(f) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to War Production Board, Containers Division, Washington 25, D. C., Ref.: L-232.

(g) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

NOTE: The reporting requirements of paragraph (c) (3) has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 25th day of October 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—SPECIFICATIONS FOR WOODEN SHIPPING CONTAINERS

TABLE I—HAMPERs, BASKETs, BERRY CUPs FOR FRESH FRUITS AND VEGETABLEs

(a) Specifications for the types and dry capacities of permitted hampers, baskets, and berry cups are as follows:

Type—(1)	Dry capacity (2)
1. Hampers.....	1/2, 5/8, 1 bu.
2. Round stave baskets.....	1/2, 1 bu.
3. Splint baskets.....	8, 12, 16, 24, 32 qts.
4. Climax baskets.....	4, 12 qts.
5. Till baskets.....	1, 2, 3, 4 qts.
6. Berry cup.....	1/2, 1 pt., 1 qt.

(b) *Exceptions.* The restrictions of paragraphs (b) (2), (3), (4) and (5) of this order and of paragraph (a) of this table shall not apply to:

(1) The manufacture or assembly of wooden shipping containers referred to in this Table by any person from wooden parts cut to size by him before March 4, 1943, provided such manufacture or assembly is completed by August 31, 1943;

(2) The assembly of wooden shipping containers referred to in this table by any person from cut-to-size wooden parts bought and received by him before April 1, 1943, provided such assembly is completed by August 31, 1943.

(c) "Hamper", "round stave basket", and "splint basket" have the same meanings as in rules and regulations¹ of The Secretary of Agriculture issued under the United States Standard Container Act of 1928. "Climax basket", "till basket", and "berry cup" mean baskets and containers of the type subject to rules and regulations² of The Secretary of Agriculture issued under the United States Standard Container Act of 1916,³ as amended.⁴

¹ U. S. Department of Agriculture Service and Regulatory Announcements No. 116, as amended.

² 45 Stat. 685; 15 U.S.C. 257.

³ U. S. Department of Agriculture Service and Regulatory Announcements No. 104, revised.

⁴ 39 Stat. 673; 15 U.S.C. 251.

⁵ 45 Stat. 930; 15 U.S.C. 251.

TABLE II—WOODEN SHIPPING CONTAINERS FOR FRESH FRUIT AND VEGETABLES

Usual name (1)	Inside depth (inches) (2)	Inside width (inches) (3)	Inside length (inches) (4)
1. Apple box	10 $\frac{1}{2}$ ¹	11 $\frac{1}{2}$	18
2. Apple box	11	12 $\frac{1}{2}$	16
3. Apple box	11	13	17
4. Apricot lug	4 $\frac{1}{2}$	12 $\frac{1}{2}$	16
5. Artichoke box	9 $\frac{1}{2}$	11	20 $\frac{1}{2}$
6. Asparagus crate	10 $\frac{1}{2}$	9 or 9 $\frac{1}{2}$ top, 11 bottom	17 $\frac{1}{2}$ or 18
7. Asparagus crate	12 $\frac{1}{2}$	9 $\frac{1}{2}$ top, 10 $\frac{1}{2}$ bottom	17 $\frac{1}{2}$
8. Asparagus crate	11	9 $\frac{1}{2}$ top, 12 bottom	16 $\frac{1}{2}$
9. Avocado box	4 $\frac{1}{2}$	13 $\frac{1}{2}$	16
10. Berry crate	2 $\frac{1}{2}$	16 $\frac{1}{2}$	21 $\frac{1}{2}$
11. Berry crate	2 $\frac{1}{2}$	13 $\frac{1}{2}$	18
12. Berry crate	3 $\frac{1}{2}$ or 3 $\frac{1}{2}$	13 $\frac{1}{2}$	18
13. Berry crate	9 or 9 $\frac{1}{2}$	9	18
14. Berry crate	7 $\frac{1}{2}$	11	22
15. Berry crate	9	11	22
16. Berry crate	11	11	21 $\frac{1}{2}$ to 22
17. Bushel crate	12	12	15
18. Cantaloupe pony crate	11	11	22
19. Cantaloupe standard crate	12	12	22
20. Cantaloupe jumbo crate	13	13	22
21. Cauliflower crate	8 $\frac{1}{2}$	18	21 $\frac{1}{2}$ to 22
22. Cauliflower crate	12 $\frac{1}{2}$	14 $\frac{1}{2}$	23
23. Celery crate	20	11	20 $\frac{1}{2}$
24. Celery crate	9 $\frac{1}{2}$	16	20
25. Celery crate	10	16	22
26. Celery crate	5 $\frac{1}{2}$	18	12 $\frac{1}{2}$
27. Cherry, apricot, prune lug	3 $\frac{1}{2}$	11 $\frac{1}{2}$	14
28. Cherry, apricot, prune lug	3 $\frac{1}{2}$	10 $\frac{1}{2}$	14
29. Cherry, apricot, prune lug	3 $\frac{1}{2}$	10 $\frac{1}{2}$	15
30. Cranberry box	9 $\frac{1}{2}$	10 $\frac{1}{2}$	15
31. Cranberry box	9 $\frac{1}{2}$	11	13 $\frac{1}{2}$
31a. Date box	2 $\frac{1}{2}$	13 $\frac{1}{2}$	16
32. Fig box	1 $\frac{1}{2}$	11	16
33. Fruit box	3	11 $\frac{1}{2}$	16
34. Fruit box	4	11 $\frac{1}{2}$	16
35. Fruit box	4 $\frac{1}{2}$	11 $\frac{1}{2}$	16
36. Fruit box	5	11 $\frac{1}{2}$	16
37. Four-basket crate	4 $\frac{1}{2}$	16	16
38. Four-basket crate	4 $\frac{1}{2}$	16	16
39. Four-basket crate	4 $\frac{1}{2}$	16	16
40. Four-basket crate	5	16	16
41. Honey dew standard crate	6 $\frac{1}{2}$	16	22
42. Honey dew jumbo crate	7 $\frac{1}{2}$	16	22
43. Lemon box	9 $\frac{1}{2}$	13	25
44. Lettuce crate	13 $\frac{1}{2}$	17 $\frac{1}{2}$	21 $\frac{1}{2}$ to 22
45. Lime box	6	12	12
46. Lug box	5 $\frac{1}{2}$	13 $\frac{1}{2}$	16
47. Lug box	4 $\frac{1}{2}$	13 $\frac{1}{2}$	16
48. Lug box	3 $\frac{1}{2}$	13 $\frac{1}{2}$	16
49. Melon crate	6 $\frac{1}{2}$	12	22
50. Melon crate	7 $\frac{1}{2}$	14	22
51. Orange and grapefruit box	11 $\frac{1}{2}$	11 $\frac{1}{2}$	24
52. Orange and grapefruit box	12	12	24
53. Half orange and grapefruit box	9 $\frac{1}{2}$	9 $\frac{1}{2}$	19
54. Pear box	8 $\frac{1}{2}$	11 $\frac{1}{2}$	18
55. Half pear box	5 $\frac{1}{2}$	11 $\frac{1}{2}$	18
56. Pear lug	6 $\frac{1}{2}$	13 $\frac{1}{2}$	20 $\frac{1}{2}$
57. Pepper crate	13 $\frac{1}{2}$	11	22
58. Produce box (1 bushel)	7 $\frac{1}{2}$ ²	17 $\frac{1}{2}$	17 $\frac{1}{2}$
59. Produce box (3 $\frac{1}{2}$ bushel)	7 $\frac{1}{2}$ ²	12 $\frac{1}{2}$	12 $\frac{1}{2}$
60. Pineapple crate	10 $\frac{1}{2}$	12	33
61. Rhubarb box	9	11 $\frac{1}{2}$	24 $\frac{1}{2}$
62. Rhubarb box	3 $\frac{1}{2}$ ¹	11 $\frac{1}{2}$	24 $\frac{1}{2}$
63. Sweetpotato crate	12 $\frac{1}{2}$ ¹	12 $\frac{1}{2}$ top 13 $\frac{1}{2}$ bottom	15 top 16 bottom
64. Sweetpotato crate	12	12	16 $\frac{1}{2}$
65. Vegetable crate	13	17 $\frac{1}{2}$	21 $\frac{1}{2}$ to 22
66. Vegetable crate	9	13	21 $\frac{1}{2}$ to 22
67. Vegetable crate	8	12	22
68. Vegetable crate	7 $\frac{1}{2}$	15 or 15 $\frac{1}{2}$	18 $\frac{1}{2}$

¹ The inside depth of this box may be increased up to 11 $\frac{1}{2}$ " either by the addition of cleats of any thickness or by the use of a solid end.

² The inside depth of this box may be increased up to 7 $\frac{1}{2}$ $\frac{1}{16}$ " by the addition of cleats of any thickness or by the use of a solid end.

*Wherever an asterisk appears, cleats may be used for such items, as provided for in paragraph (c) of the text of Table II.

(a) The designation in column (1) of Table II is merely for identification and shall not be construed as restricting usage. 'Inside width' and 'Inside depth' of the container are the width and length, respectively, of the end pieces or end frames, exclusive of any cleats. 'Inside length' of the container shall be its outside length minus the combined thickness of both ends and of the center piece (if any).

(b) An optional variation of up to $\frac{1}{8}$ " under or up to $\frac{1}{4}$ " over the specified inside lengths is allowed. A tolerance of up to $\frac{1}{8}$ ", plus or minus, in the specified inside depths and inside width is allowed for shrinkage and manufacture.

(c) No cleats may be so used as to increase inside dimensions except where an asterisk appears in Column (1) of Table II or where, and as, specified in any footnote after that

table. Where an asterisk appears in Column (1) of Table II, one or more cleats of $\frac{1}{4}$ ", $\frac{3}{8}$ ", $\frac{1}{2}$ ", $\frac{5}{8}$ ", $\frac{1}{16}$ ", or $\frac{3}{4}$ " thickness may be attached to the top of each end piece, or end frame, provided such cleat or cleats do not increase the inside dimensions of the container by more than the specified thickness of the cleat or cleats.

(d) *Exceptions.* (1) The restrictions of paragraphs (b) (2), (3), (4) and (5) of this order and of this Table II shall not apply to:

(1) The manufacture or assembly of wooden shipping containers by any person from wooden parts cut to size by him before March 4, 1943; provided, such manufacture or assembly is completed by August 31, 1943;

(2) The assembly of wooden shipping containers by any person from cut-to-size wooden parts bought and received by him before April

1, 1943; provided, such assembly is completed by August 31, 1943;

(2) The restrictions of this Table II shall not apply to the manufacture or assembly of wooden shipping containers, or the manufacture of wooden parts for wooden shipping containers, to be delivered:

(1) To or for the account of the Army, the Navy, the Coast Guard, the Maritime Commission, the War Shipping Administration, or the Department of Agriculture (for Lend-Lease purposes), provided, the government agency's specifications require wooden shipping containers which do not comply with Table II.

(ii) To any person for use in packing fresh fruits or vegetables for delivery to or for the account of such government agencies; provided, the government agency's specifications require wooden shipping containers which do not comply with Table II; and provided further, such person furnishes the container or container-parts supplier with a written certification in substantially the following form, signed by an authorized official, either manually or as provided in Priorities Regulation No. 7;

"This is to certify that specifications of orders received by the undersigned from (designate government agency) require wooden containers not conforming with Order L-232. The material ordered herewith is for that purpose only.

Company

By

Title Date

Such certification shall constitute a representation to the supplier and to the War Production Board as to the truth of the facts stated therein. The supplier may rely upon such representation unless he has knowledge or reason to believe that it is not true.

TABLE III—WOODEN SHIPPING CONTAINERS FOR DRESSED CHICKENS & TURKEYS

Chicken boxes (approximate weight)	Inside length (inches)	Inside width (inches)	Inside depth (inches)
(1)	(2)	(3)	(4)
101. 36 lbs.		18	14
102. 42 lbs.		19	14 $\frac{1}{2}$
103. 48 lbs.		20	15 $\frac{1}{2}$
104. 54 lbs.		21	16 $\frac{1}{2}$
105. 60 lbs.		22	17
106. 72 lbs.		24	18

TURKEY BOXES

111. Small	28	24	6 $\frac{1}{4}$
112. Large	32	28	7 $\frac{1}{4}$
113. Very large	31	19	8
114. West Coast	30	22	8 $\frac{1}{4}$

(a) *Exceptions.* The restrictions of paragraph (b) (2), (3), (4) and (5) of this order and of this Table III shall not apply to:

(1) The manufacture or assembly of wooden chicken and turkey boxes by any person from wooden parts cut to size by him before July 30, 1943, provided such manufacture or assembly is completed by September 30, 1943;

(2) The assembly of wooden chicken and turkey boxes by any person from cut-to-size wooden parts bought and received by him before August 15, 1943, provided such assembly is completed by September 30, 1943.

SCHEDULE B—RESTRICTIONS IN USE OF WOODEN SHIPPING CONTAINERS

TABLE I—COMMODITIES WHICH MAY NOT BE SHIPPED IN WOODEN SHIPPING CONTAINERS

(a) The restrictions of this Table I shall not apply to (1) shipments to or for the account of the Army or Navy of the United States, or shipments to military exchanges (as defined in Priorities Regulation No. 17)

located outside the 48 states, the District of Columbia and Canada, (2) shipments to be delivered ultimately outside the 48 states of the United States, the District of Columbia and Canada, (3) shipments of stores for shipboard use on ocean-going vessels, (4) shipments in wooden barrels, kegs, drums, kits or pails, except in the case of soda ash, bicarbonate of soda, and salt.

(b) Whenever the letter "b" appears after a commodity in this list, the restriction applies to this commodity only when packaged in glass, textile, metal or paper.

(c) Soda ash and bicarbonate of soda were included in Table I on July 23, 1943 and all the other commodities were added on October 25, 1943.

(d) The headings used in this table are only for the purpose of separating the items into groups of similar commodities.

Building materials

1. Asphalt roofing (rolls or shingles), siding and tiles
2. Brick, except fire and glass
3. Cement ^b
4. Cork (except pipe covering and slabs)
5. Mineral wool, except slabs, blocks, batts and insulation (formed, metal encased)
6. Plaster, cement lime, gypsum (this does not include dental, orthopedic and industrial mold grades)
7. Roof coatings and cements ^b
8. Steel sash and windows

Foods (except fresh vegetables, Items 38-43 and animal foods, Item 101)

9. Bakery goods, except in multiple trip returnable containers
10. Baking powder
11. Candy or confectionery
12. Canned and glassed foods
13. Cereals, prepared
14. Chocolate
15. Cocoa
16. Coffee
17. Condiments ^b
18. Corn starch ^b
19. Dessert powders
20. Flours, prepared products
21. Food seasoning, coloring and related products ^b
22. Fruit and vegetable juices ^b
23. Gelatins ^b
24. Horseradish products ^b
25. Ice cream cones
26. Macaroni ^b
27. Mayonnaise and salad dressing
28. Noodles ^b
29. Nuts, edible
30. Peanut butter and peanuts ^b
31. Popcorn
32. Potato chips
33. Rice
34. Salt
35. Spaghetti ^b
36. Spices (except mustard flour)
37. Tea

Fresh vegetables

38. Cabbage
39. Corn, green
40. Onions, dry
41. Potatoes, white

42. Rutabagas
43. Turnips, root

Glass products

44. Jars, home canning
45. Ornaments and decorations

Hardware

46. Buckets and pails (wood or metal)
47. Handles, wooden, for hand tools
48. Wash tubs, wood or metal

Horticultural items

49. Flowers and flower seeds
50. Shrubs, ornamental
51. Trees, ornamental

Leather products

52. Belting butts and shoe leather, except cut stock (repair taps, insoles, counters, box toes, second weltling)

53. Bridles
54. Harnesses
55. Horse collars
56. Novelties
57. Pocketbooks
58. Saddles
59. Suitcases
60. Traveling bags—all kinds
61. Trunks
62. Whips and crops

Paper products

63. Advertising displays—counter, window or floor

64. Albums
65. Announcements
66. Calendars
67. Catalogues
68. Greeting cards
69. Illustrated post cards
70. Magazines, including house organs
71. Novelties
72. Posters
73. Punch boards

Textiles (except clothing)

74. Awnings
75. Blankets
76. Comforters
77. Mattresses
78. Rope, string and twine
79. Tents

Miscellaneous

80. Adhesives or cements, household
81. Appliances, electric, domestic (except stoves, refrigerators, washing machines and mangles)
82. Art supplies
83. Ash trays
84. Baskets
85. Bed springs
86. Beverages, carbonated, malt or alcoholic and concentrates, except in multiple trip returnable containers
87. Bicarbonate of soda
88. Brushes and brooms
89. Buttons
90. Candles
91. Ceramics, ornamental
92. Charcoal, except activated carbon
93. Cigars and cigarettes
94. Combs

95. Cosmetics
96. Dentrifrices
97. Depilatories
98. Dry cleaning preparations, household
99. Electric light bulbs
100. Fertilizers
101. Food, animal and pet
102. Furniture, outdoor and garden
103. Hair, dressing and dyes, shampoos and tonics
104. Hats, millinery
105. Heels and soles, footwear
106. Hose, rubber and fabric
107. Jewelry
108. Mops
109. Ornaments, made of glass, plastic, pottery, china, metal, wood, paper or leather
110. Paint ^b
111. Peat moss
112. Pens and pencils
113. Perfumes and toiletries
114. Polishes ^b
115. Scouring and cleaning compounds and detergents
116. Shoes
117. Soap ^b
118. Soda ash
119. Sporting goods
120. Starch ^b
121. Tobacco ^b
122. Toys and games
123. Varnishes ^b
124. Waxes ^b

TABLE II—COMMODITIES WHOSE PACKING AND SHIPPING IN WOODEN SHIPPING CONTAINERS IS RESTRICTED

NOTE: Table II amended Oct. 25, 1943.

Fruits and vegetables

Commodity	Quota based on 1942 calendar year (percent)
Cantaloupes and melons	80
Carrots	100
Cauliflower	80
Celery	80
Cucumbers	50
Grapes, juice ¹	50
Grapes, table: ²	
Thompson	100
Muscat	100
Sultana	100
Zante Currant	100
All other varieties	110
Lettuce	80
Radishes	50

Miscellaneous products

Animal proprietary drug remedies	65
Books	80
Carpets	80
China and glassware (except vitrified for commercial use)	80
Clothing, except shoes	80
Furniture (other than outdoor and garden)	65
Glass tableware and glass kitchen articles	80
Hooks and eyes, slide and snap fasteners, buckles and miscellaneous metal apparel bindings	80
Linoleum	80
Musical instruments	80
Pottery products, household (except ornamental)	80
Printing and publishing products, except those listed elsewhere	80
Rugs	80
Tile (floor, wall, facing, glazed or unglazed)	80

NOTE 1: Juice grapes are grapes of the following varieties:

Alicante Bouschet
 Alicante Ganzin
 Aramon
 Barbera
 Beclan
 Carbernet Sauvignon
 Carignane
 Charbono
 Crabb's Black Burgundy
 Friesa
 Gamay
 Grand Noir
 Grenache
 Grignolino
 Lenoir
 Limberger
 Malbec
 Malvoisie
 Mataro
 Mission
 Mondeuse
 Mourastel
 Nebbiola
 Petit Bouschet
 Petite Sirah
 Portuguese Blue
 Salvador
 St. Macalre
 Tannat
 Teoulier
 Trouseau
 Valdepenas
 Zinfandel

NOTE 2: In the case of Thompson, Muscat, Sultana and Zante Currant variety of table grapes, the shipping quota is limited to each of these varieties, and in the event that the quantity of each of these varieties is insufficient to fill the quota, no other variety of grape may be shipped as part of that quota.

NOTE 3: The base period and quota period quantities of a commodity shall be determined by weight, volume or count of that commodity packed for shipment or shipped in wooden shipping containers, or by the board footage content of the wooden shipping containers required. The same measure shall be used in both the base period and quota period quantities for any commodity.

NOTE 4: Exceptions. (1) No person shall be bound by quota restrictions contained in paragraphs (c) (2) or (3) applicable to any commodity during any calendar year or seasonal year, whichever is specified, during which he neither packs nor ships more than one carload or 30,000 pounds of that commodity, whichever is the lesser.

(ii) The provision with respect to reporting change of shippers contained in paragraph (c) (3) shall not apply where less than a carload or 30,000 pounds of a commodity, whichever is the lesser, is being shifted from one shipper to another.

NOTE 5: Unused quotas of any commodity in this list may not be used for packing or shipping any other commodity. For example, where a person has packed for shipment or shipped both juice grapes and table grapes in the base period, he is limited to his quota of each in the quota period and may not pack for shipment or ship table grapes in place of all or part of his juice grape quota, or vice versa.

NOTE 6: In the case of all the commodities in this Table with the exception of juice grapes and table grapes, the quota restriction shall not become effective until 1944.

[F. R. Doc. 43-17268; Filed, October 25, 1943; 11:17 a. m.]

PART 3281—PULP AND PAPER

[Schedule I as Amended Oct. 23, 1943 to Limitation Order L-120]

PAPER AND PAPERBOARD FOR USE IN COMMERCIAL PRINTING

§ 3281.17 Schedule I to Limitation Order L-120—(a) Definitions. For the purpose of this schedule, including the Appendix:

(1) The term "paper and paperboard" means and is limited to the kinds of paper and paperboard commonly described and distributed in the paper trade by the names used as captions in the Appendix below.

(2) The term "paper and paperboard for use in commercial printing" means all paper and paperboard commonly manufactured and distributed for use in printing, including but not limited to the printing of house organs, music, labels and posters; and excluding only those manufactured and distributed for use in printing newspapers and magazines, pamphlets published for resale, and books, or for conversion into another paper product or products otherwise than by printing.

(3) A "grade" means one particular quality within a kind of paper or paperboard such grade having the essential properties peculiar to such kind and common to all grades within such kind, but distinguished from other such grades by a difference in the degree to which one or several of those common properties are emphasized. However, a difference in the degree to which any common property is emphasized, due only to a difference in ash content, in sizing, in the quantity of adhesive in the coating formula, or in the dyes used in the paper or paperboard, or coating shall not be considered as resulting in a different grade.

(4) "Color" means any hue of the spectrum, including but not limited to ivory, india and green-white tints, and black, but not including white.

(5) The term "basis weight" means the weight in pounds per 500 sheets in the size indicated under the appropriate caption, or the equivalent weight of 500 sheets in any other size figured proportionately to the size specified.

(6) The term "thickness" means the thickness of a sheet of paper or paperboard expressed either in terms of plies or in terms of thousandths of an inch measured by the Cady Micrometer.

(7) An "item" means a quantity of paper or paperboard all of which is of the same size, grain, basis weight, finish, color and grade.

(8) The term "standard" as applied to grade, color, basis weight, and size means, with respect to each manufacturer, a grade and color selected and a basis weight or thickness, and size specified under A of the appropriate caption in the appendix below.

(9) The term "special" as applied to grade, color, basis weight, and size means, with respect to each manufacturer, any grade, color, basis weight, thickness or size that is not standard.

(10) The term "special making order" means a single order placed by a single buyer for manufacture at one time for use by one printer or consumer.

(11) The term "manufacture" includes all making and finishing operations prior to packaging or packing, including pasting whether by a primary manufacturer or otherwise.

(12) "Person" means any individual, partnership, association, or other form of enterprise, including within one "person" all affiliates, subsidiaries, individuals, corporations, partnerships, or other forms of enterprise subject to a common executive or operating management or with a common sales organization.

(b) *Identification of the papers or paperboards subject to this schedule.* It shall be the duty of each person who manufactures paper or paperboard to determine in the first instance, but subject to review and official classification by the War Production Board at any time thereafter, under which caption, if any, of the Appendix belongs each of the "paper and paperboard for use in commercial printing" manufactured by him. There shall be taken into account in such determination, and in any review and reclassification by the War Production Board the designation by which the manufacturer heretofore identified or distributed the paper or paperboard in question, the common designation in the paper trade of similar papers or paperboards selling within the same general price range as the paper or paperboard in question, and the common designation in the paper trade of papers or paperboards possessing the same general physical characteristics, manufactured by the same general processes, or commonly distributed and used for the same general uses as the paper or paperboard in question. If a manufacturer is uncertain as to the proper caption under which to classify a particular kind of "paper or paperboard for use in commercial printing", or whether a particular kind of paper or paperboard is such a paper or paperboard at all or belongs under any caption of the Appendix to this schedule, he may apply to the War Production Board, in writing, for an official classification of such paper or paperboard, submitting with his application representative samples of the grade or grades in which he manufactures such paper or paperboard, a full explanation of the processes by which he manufactures the same, the designation by which he has heretofore identified or distributed the same, the general uses for which it is intended, the general price range within which it is sold, and the types of paper or paperboard with which it chiefly competes, and a full explanation of the reasons for his uncertainty. The War Production Board may on its own motion review a manufacturer's classification and substitute therefore an official classification.

In any event, an official classification by the War Production Board by telegram or notice in writing sent to the manufacturer, shall, unless and until the War Production Board shall amend

or revise the same by telegram or notice in writing sent to the manufacturer, be conclusive.

(c) *Selection of grades for regular manufacture.* Each person who manufactures any kind of "paper or paperboard for use in commercial printing", shall select such "grade" or "grades" (if selection is indicated under the appropriate caption and has not already been made by him), not to exceed the number specified in A (1) of the appropriate caption of the Appendix below, as he may desire to adopt for regular manufacture, and shall forthwith notify the War Production Board of such selection on Form WPB 1295 (formerly PD-589). The manufacturer may thereafter apply to the War Production Board for leave to amend the original selection, but unless and until such leave is granted by the War Production Board, in writing, the original selection shall remain binding.

(d) *Selection of colors for regular manufacture.* If by the terms of A (2) under the appropriate caption of the Appendix below a manufacturer is permitted with respect to a particular grade of a kind of "paper and paperboard for use in commercial printing", to select a number of colors and such selection is indicated and has not already been reported by him, each person desiring to manufacture such grade in colors shall immediately select therefor such particular colors, not to exceed the number indicated in A (2) of the appropriate caption, as he may desire to adopt for regular manufacture, and shall immediately notify the War Production Board of such selection on Form WPB 1295 (formerly PD-589). The manufacturer may thereafter apply to the War Production Board for leave to amend the original selection, but unless and until such leave is granted by the War Production Board in writing, the original selection shall remain binding.

(e) *General limitations.* No person shall manufacture any kind of "paper or paperboard for use in commercial printing" in any grade, color, basis weight, or size other than those specified or selected as standard under A of the appropriate caption of the Appendix (where such standards are specified or selected under A of the appropriate caption), or contrary to any other provision under the appropriate caption. This general rule is, however, subject to the following exceptions:

(1) Tolerances and variations are permitted to the extent provided in paragraph (f).

(2) Cutting and slitting to various sizes are permitted to the extent provided in paragraph (g).

(3) Special provision is made for "jobs" and "seconds" in paragraph (h).

(4) Special provision is made for export orders in paragraph (i).

(5) Exceptions are made for "special making orders" under certain captions of the Appendix. However, regardless of these exceptions where special making orders are so permitted under any caption, the basis weight or thickness must not exceed the heaviest standard basis weight or thickness permitted under A of such caption.

(6) Paper or paperboard in process of manufacture on September 1, 1943, and conforming to the requirements of this order prior to the amendment effective that date, may be completed otherwise than by pasting.

(7) Paper or paperboard may be manufactured in any basis weight or thickness permitted for a particular use by this or any subsequent order, provided the basis weight or thickness does not exceed the maximum specified by the War Production Board for such use, and provided all other provisions of this or such subsequent order are fully complied with.

(f) *Tolerances and variations.* The prohibitions and restrictions of this revised schedule are subject to the normal tolerances customary in the manufacture of the kind of paper or paperboard under each caption and to the normal variations in quantity manufactured customarily acceptable in the paper trade for such kind. Nothing in this revised schedule shall restrict the remaking, because of faulty manufacture or excessive underrun, of all or any part of a "special making order" accepted in good faith for manufacture in accordance with the terms of this revised schedule.

(g) *Cutting and slitting.* Nothing in this revised schedule shall restrict the cutting of any sheet size to sizes of which the parent size is a multiple, provided the parent size is manufactured in accordance with the provisions of this revised schedule, nor restrict the slitting to fractional width rolls of any parent roll size manufactured in accordance with the provisions of this revised schedule on an order for rolls; however, a special sheet size may not be cut from a standard or special roll size except in a quantity and under the conditions, if any, applying to a "special size" under B of the appropriate caption in the Appendix below.

(h) *Jobs and seconds.* Nothing in this revised schedule shall restrict the sale of "job lots" or "seconds" resulting from faulty manufacture or overruns customarily unacceptable to the buyer, which occur during a bona fide attempt to manufacture "paper and paperboard" according to the terms of this revised schedule, provided that the manufacturer clearly informs the purchaser that such paper or paperboard is a "job lot" or "seconds" and so indicates on each package.

(i) *Exception for export.* Regardless of the foregoing provisions of this revised schedule and of the provisions of Limitation Order L-120, a person may manufacture for export (but may not without permission in writing from the War Production Board sell in the domestic market) any "kind" of "paper or paperboard for use in commercial printing" in any size, basis weight or thickness required, regardless of quantity, provided all other provisions of this schedule are complied with and (if the basis weight or thickness is heavier than permitted) such person has received permission in writing from the War Pro-

duction Board to manufacture the particular order in question in such heavier basis weight.

(j) *Records and reports.*—(1) *Standard samples.* Each person who manufactures any kind of "paper or paperboard for use in commercial printing" shall keep, readily available for inspection by the War Production Board, representative samples of each standard grade and each standard color of such grade selected by him under A (1) and A (2) of the appropriate caption.

(2) *Special making orders.* On and after September 1, 1943, each person who manufactures any "special making order" permitted under B of the appropriate caption of the Appendix below shall require from the buyer a statement to the effect that such order is purchased for use by one printer or consumer, shall keep such statement, together with a complete record of such order, readily available for inspection by the War Production Board and shall submit reports of such orders to the War Production Board as it may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(3) *Export orders.* On and after September 1, 1943 each person who manufactures "paper or paperboard for use in commercial printing" for export shall require from the buyer a statement on his purchase order to the effect that such paper is purchased for export, shall keep such statement, together with a complete record of the order against which such paper is manufactured, readily available for inspection by the War Production Board, and shall submit reports of such orders to the War Production Board as it may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

NOTE: The reporting requirements of paragraphs (c) and (d) have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 23d day of October 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX—STANDARDIZATION AND SIMPLIFICATION OF PAPER AND PAPERBOARD FOR USE IN COMMERCIAL PRINTING

UNCOATED ENGLISH (MACHINE) FINISH BOOK PAPERS

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) *Standard Grades:* Not more than two, selected according to paragraph (c) of the foregoing schedule.

(2) *Standard Colors:* In one of the grades selected under A (1), White and India only. The other grade selected may be manufactured in White, and India and five other colors, selected according to paragraph (d) of the foregoing schedule.

(3) *Standard basis weights (per 500 sheets 25" x 38")* 30, 35, 40, 45; and if for use in printing sheet music 70, or for cigarette cups 65#, provided that before the sale thereof the manufacturer shall require from the buyer a statement that the order is for such use. The manufacturer shall keep such statement together with a complete record

of the order readily available for inspection by the War Production Board.

(4) Standard Sizes (in inches):

Sheets: 25 x 38, 28 x 42, 28 x 44, 32 x 44, 35 x 45, 38 x 50.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

B. Exceptions for "special making orders" as defined in (a) (10) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either white or any one color, standard or special; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A Special Basis Weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing Schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or white; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under exceptions (1), (2) and (3) above.

(5) Basis Weights below 30 pound. No restriction on grade, basis weights or sizes in basis weights below 30 pound.

UNCOATED BOOK PAPERS, SUPERCALENDERED

A. Grades, Colors, Weights and Sizes for regular manufacture:

(1) Standard Grades: Not more than two, selected according to paragraph (c) of the foregoing schedule, provided they correspond to the two selected for Uncoated English (Machine) Finish Book Papers.

(2) Standard Colors: In one of the grades selected under A (1), White and India only. The other grade selected may be manufactured in White, and India and five other colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard basis weights (per 500 sheets 25" x 38") 40, 45, 50; and if for use in printing cigarette cups, 65, provided that before the sale thereof the manufacturer shall require from the buyer a statement that the order is for use in printing cigarette cups. The manufacturer shall keep such statement together with a complete record of the order readily available for inspection by the War Production Board.

(4) Standard Sizes (in inches):

Sheets: 25 x 38, 28 x 42, 28 x 44, 32 x 44, 35 x 45, 38 x 50.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

B. Exceptions for "special making orders" as defined in (a) (10) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color, standard or special; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A special basis weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing Schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under exception (1) above; and

(b) In a standard color or White; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under exceptions (1), (2) and (3) above.

ANTIQUE (EGGSHELL) FINISH BOOK PAPERS

A. Grades, Colors, Weights and Sizes for regular manufacture:

(1) Standard grades: Not more than two, selected according to paragraph (c) of the foregoing schedule, but only one may carry a watermark and/or a laid mark.

(2) Standard colors: In one of the grades selected under A (1), White and India only. The other grade selected may be manufactured in White, and India and five other colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard basis weights (per 500 sheets 25" x 38") 40, 45, 50; and, if in a standard watermarked text grade, basis weight 60.

(4) Standard sizes (in inches):

Sheets: 25 x 38, 28 x 42, 28 x 44, 32 x 44,

35 x 45, 38 x 50.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

B. Exceptions for "special making orders" as defined in (a) (10) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color, standard or special; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A special basis weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing Schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or White; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under exceptions (1), (2) and (3) above.

UNCOATED OFFSET BOOK PAPERS

A. Grades, colors, weights and sizes for regular manufacture:

(1) Standard Grades: Not more than one, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: The grade selected under A (1) may be manufactured in White, and India and five other colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard basis weights (per 500 sheets 25" x 38") 50, 60; and, if for use in multicolor printing on an offset press, 65 provided that before the sale thereof the manufacturer shall require from the buyer a statement that the order is for use in multicolor printing on an offset press. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

Definitions of multicolor printing: Multicolor printing means the use of more than two colors of ink including black, two or more colors being superimposed on the base color ink to produce the desired design or illustration.

(4) Standard Sizes (in inches):

Sheets: 22 1/2 x 35, 25 x 38, 28 x 42, 28 x 44,

32 x 44, 35 x 45, 38 x 50, 41 x 54, 44 x 64.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

(5) Any fancy finish may be applied to any item conforming to the other conditions of this caption.

(6) No laid mark or other watermarks permitted.

(7) No supercalendered Offset Paper permitted.

B. Exceptions for "special making orders" as defined in (a) (10) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color, standard or special; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A special basis weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing Schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or White; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight, in the quantities provided for under exceptions (1), (2) and (3) above.

(5) Any fancy finish may be applied to any item conforming to the other conditions of this caption.

(6) A laid mark or other watermark may be incorporated in a special making order of 5,000 pounds or more of any item conforming to the other conditions of this caption.

(7) A Supercalender Finish may be applied to fill a special making order for 2,000 pounds or more of any item conforming to the other conditions of this caption.

PROCESS (MACHINE) COATED BOOK PAPERS

A. Grades, Colors, Weights and Sizes for regular manufacture.

(1) Standard Grades: Not more than two, selected according to paragraph (c) of the foregoing schedule.

NOTE: A person may, upon application to and approval by the War Production Board select for regular manufacture not more than 2 additional grades of Process (Machine) Coated Book Papers, each in lieu of a grade of Glossy Coated Two Sides Book Papers and, if his application is granted, may not thereafter, unless and until permitted by the War Production Board, regularly manufacture the grade or grades of Glossy Coated Two Sides Book Papers thus replaced.

(2) Standard Colors: White only.

(3) Standard Basis Weights (per 500 sheets 25" x 38") : 45, 50, 60.

(4) Standard Sizes (in inches):

Sheets: 25 x 38, 28 x 42, 28 x 44, 32 x 44, 35 x 45, 38 x 50.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

B. Exceptions for "special making orders" as defined in (a) (10) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A Special Basis Weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In White; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under exceptions (1), (2) and (3) above.

(5) Special Coating Formulae: Any glossy coated one side coating formula may be applied to the one grade of body stock permitted under A (1) to fill a special making order:

(a) In 5,000 pounds or more of one item in White only, and in any basis weight permitted under A (3); or

(b) In 10,000 pounds or more of White or any one color, standard or special, and in any one basis weight permitted, standard or special, with at least 5,000 pounds of each item.

in printing sheet music, basis weight 85: Provided, That before the sale thereof the manufacturer shall require from the buyer a statement that the order is for such use. The manufacturer shall keep such statement together with a complete record of the order, readily available for inspection by the War Production Board.

(4) Standard sizes (in inches):

Sheets: 25" x 38", 28" x 42", 28" x 44", 32" x 44", 35" x 45", 38" x 50".

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

B. Exceptions for "special making orders" as defined in (a) (10) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color, standard or special; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A Special Basis Weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In White; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under exceptions (1), (2) and (3) above.

(5) Special Coating Formulae: Any glossy coated two sides coating formula may be applied to a grade of body stock regularly manufactured under A (1) to fill a special making order:

(a) In 5,000 pounds or more of one item in White only, and in any basis weight permitted under A (3); or

(b) In 10,000 pounds or more of White or any one color, standard or special, and in any one basis weight permitted, standard or special, and with at least 5,000 pounds of each item.

(6) Glossy Coated One Side: Any body stock and coating used for a standard grade of Glossy Coated Two Sides Book Papers may be used to manufacture a similar grade coated one side to fill a special making order, provided that:

(a) The quantity of each basis weight permitted for coated one side is at least 10,000 pounds; and

(b) The quantity of each item is at least 5,000 pounds.

COATED TWO SIDES OFFSET PAPERS

A. Grades, Colors, Weights, and Sizes for regular manufacture.

(1) Standard Grades: Not more than one, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White only.

(3) Standard basis weights (per 500 sheets 25" x 38") : 60, 70.

(4) Standard Sizes (in inches):

Sheets: 22 1/2 x 35, 25 x 38, 28 x 42, 28 x 44, 32 x 44, 35 x 45, 38 x 50, 41 x 54.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

B. Exceptions for "special making orders" as defined in (a) (10) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color, standard or special; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

COATED ONE SIDE BOOK PAPERS

A. Grades, Colors, Weights and Sizes for regular manufacture.

(1) Standard Grades: Not more than one grade of body stock to which may be applied two grades of coating, selected according to paragraph (c) of the foregoing schedule, one for general use and the other suitable for varnishing and gloss ink printing.

(2) Standard Colors: White only.

(3) Standard basis weights (per 500 sheets 25" x 38") : 50, 60; and if for use in printing cigarette cups, basis weight 70, or if for use

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A special basis weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or White; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under exceptions (1), (2) and (3) above.

DULL COATED BOOK PAPERS

A. Grades, Colors, Weights, and Sizes for regular manufacture:

(1) Standard Grades: Not more than one, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: The grade selected under A (1) may be manufactured in White, and India and five other colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard basis weights (per 500 sheets 25" x 38"): 60, 70.

(4) Standard Sizes (in inches):

Sheets: 25 x 38, 28 x 42, 28 x 44, 32 x 44, 35 x 45, 38 x 50.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

B. Exceptions for "special making orders", as defined in (a) (10) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color, standard or special; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A special basis weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or White; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under exceptions (1), (2) and (3) above.

PLAIN COATED COVER PAPERS

A. Grades, Colors, Weights, and Sizes for regular manufacture:

(1) Standard Grades: Not more than one, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: The grade selected under A (1) may be manufactured in White, and India and five other colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard basis weights (per 500 sheets 20" x 26"): 50, 60; and in addition, any finished basis weight in a soilproof, greaseproof or moisture resistant cover which results from coating a 20" x 26" -65# raw stock is permitted.

(4) Standard Sizes (in inches):

Sheets: 29 x 26, 23 x 35, 26 x 40, 35 x 46.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

B. Exceptions for "special making orders" as defined in (a) (10) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color, standard or special; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade, and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A special basis weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or White; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 2,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under exceptions (1), (2) and (3) above.

BOGUS (TICKET) BRISTOL

Maximum basis weight permitted: 22½" x 28½" -120.

POSTER PAPERS

Maximum basis weight permitted: 25" x 38" -60.

COATED POSTCARD BRISTOL

Maximum thickness permitted: .011 of an inch.

GROUNDWOOD PRINTING PAPERS

(All Grades)

Maximum basis weights permitted: Machine finish: 25" x 38" -45, Antique finish: 25" x 38" -50, Supercalendered: 25" x 38" -50.

NOVEL NEWS

Maximum basis weight permitted: 24" x 36" -82.

NEWSPRINT

Maximum basis weight permitted: 24" x 36" -32.

GROUNDWOOD DIRECTORY PAPERS

Maximum basis weight permitted: 24" x 36" -28.

RAILROAD MANILA

Maximum basis weight permitted: 17" x 22" -16.

SCHOOL DRAWING

(Excluding "Artists Drawing" and "Drafting")

Maximum basis weight permitted: 25" x 38" -50.

[F. R. Doc. 43-17227; Filed, October 25, 1943; 11:18 a. m.]

Subchapter C—Director, Office of War Utilities

PART 4500—POWER, WATER, GAS AND COMMUNICATIONS

[Utilities Order U-7 (Formerly Limitation Order L-31)]

NATURAL GAS

Whereas, increased gas requirements for war production and civilian uses, coupled with scarcity of materials for the construction of pipelines and other facilities, have resulted in shortages of natural gas in certain areas of the United States and are threatened in others; during periods of adverse weather conditions the demand for natural gas in almost all areas increases beyond the capacity of existing facilities to meet such demands; and the following order is deemed necessary to conserve existing reserves of natural gas and to safeguard deliveries to war industries and essential civilian services, and in other respects is necessary and appropriate in the public interest and to promote the war effort:

§ 4500.10 Utilities Order U-7—(a) Definitions. For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Natural gas" means any combustible natural gas or gases and fuel gas derivatives of natural gases, fuel gas derivatives of petroleum produced as by-products in the production, refining or processing of petroleum, or mixtures of any of the aforesaid gases with blue gas, carbureted water gas, coke oven gas, producer gas, blast furnace gas, oil gas, or any other manufactured gas; but does not include liquefied petroleum gas in the liquid phase.

(3) "Utility" means any person supplying natural gas for general use by the public.

(4) "Non-utility supplier" means any person supplying or capable of supplying natural gas or who owns or operates natural or manufactured gas production, transmission, or distribution facilities and who is not included in the definition of "utility" in paragraph (a) (3): *Provided*, That no person engaged in the production, refining or processing of petroleum or natural gas shall be considered a non-utility supplier, except as to

the use or disposition of natural gas as a combustible fuel gas after completion of such production, refining or processing.

(5) "Consumer" means any ultimate user of gas produced, transmitted or distributed by any "utility" or "non-utility supplier", including any utility or non-utility supplier which is itself an ultimate user of gas.

(6) "Stand-by facilities" means equipment capable of utilizing electrical energy, oil, coal or any other fuel or energy to replace natural gas and for the operation of which a supply of such fuel or energy is obtainable or could have been obtained in the exercise of reasonable diligence.

(7) "Premises" means any building or structure and its adjuncts: *Provided*, That in the case of "consumer" who receive deliveries of gas for the operation of equipment not contained within a building, any delivery point and the confines of the area supplied with natural gas from such delivery point shall be deemed a "premises".

(8) "Residential consumer" means any "consumer" receiving natural gas for the operation of space heating, hot water heating, cooking or refrigeration equipment used for residential purposes, where the total input capacity of the space heating equipment does not exceed 250,000 B. T. U. per hour.

(9) "Non-residential consumer" means any "consumer" other than a residential consumer as defined in (a) (8).

(b) *Integration of gas system operations.* (1) Each utility or non-utility supplier shall, as far as practicable, so operate and maintain its transmission, storage, distribution and gas manufacturing facilities as to achieve maximum deliverability of natural gas in any area or areas in which a shortage exists or is imminent and to conserve existing gas reserves; and no utility or non-utility supplier shall abandon any such facilities except upon specific authorization of the War Production Board. Where necessary for such purposes, the War Production Board may, from time to time, issue specific directions as to the operation of gas manufacturing, transmission, storage and distribution facilities.

(2) Each utility or non-utility supplier shall maintain in operating condition all gas manufacturing facilities owned or operated by such utility or non-utility supplier which were in operating condition on November 12, 1942. Each utility or non-utility supplier shall repair and maintain in operating condition such other facilities including gas manufacturing facilities owned or operated by such utility or non-utility supplier as the War Production Board may, from time to time, direct. Wherever repair and maintenance of gas facilities requires the use of materials in excess of those available under any order issued by the War Production Board, application for authority to use or acquire such materials should be made to the War Production Board in accordance with established procedures.

(3) The War Production Board may, from time to time, issue specific direc-

tions respecting the delivery of natural gas from one utility or non-utility supplier to another or to any consumer, and respecting the interconnection of any facilities; and no utility or non-utility supplier shall deliver or accept or fail to deliver or accept deliveries of gas or fail to interconnect facilities in violation of any such direction. Subject to such directions and to the provisions of paragraph (b) (5), each utility or non-utility supplier shall so interchange natural gas with its interconnected utilities or non-utility suppliers as to achieve, directly or indirectly, the maximum deliverability in any area or areas in which a shortage exists or is imminent.

(4) Upon specific direction of the War Production Board, utilities or non-utility suppliers shall curtail gas deliveries to specified classes of consumers on their systems if necessary in order to make available gas for delivery to utilities or non-utility suppliers on whose systems there exists a shortage which adversely affects or threatens service to war producers or other essential consumers. Any utility or non-utility supplier may request the War Production Board to direct another utility or non-utility supplier to deliver gas to it, on the ground that such delivery will safeguard service to war producers or essential consumers, or will otherwise be in the interest of the war effort.

(5) No utility shall deliver natural gas to any other utility or non-utility supplier not theretofore regularly supplied by such utility (except emergency deliveries to relieve a shortage resulting from the failure or breakdown of gas production, transmission or distribution facilities), without specific approval of the War Production Board. Any utility making such emergency deliveries shall report directly to the War Production Board, Office of War Utilities, Natural Gas Division, Ref.: U-7, the nature of the emergency and the amount and duration of such deliveries.

(6) Each non-utility supplier in any area served by any utility with which such non-utility supplier is interconnected or is capable of being interconnected, shall upon notice from the War Production Board so order its operations as to make available to such utility, or to any essential war producer or other consumer, all natural or manufactured gas which it is capable of producing or supplying in excess of the minimum requirements of its own essential operations. Any non-utility supplier which on October 1, 1943 was supplying natural gas to a utility in an area in which a shortage exists or is imminent shall not discontinue deliveries to such utility without the approval of the War Production Board, unless it is no longer capable of making such deliveries, or pursuant to the provisions of paragraph (c) (1).

(c) *Operations during gas shortages.* (1) In the event of an existing or imminent gas shortage in any area, each utility or non-utility supplier supplying such area shall conduct its operations and reduce deliveries to commercial and industrial consumers in accordance with the following schedule, subject to such

further or special directions as the War Production Board may from time to time issue: *Provided*, That to the extent, if any, required by the emergency nature of the shortage such utility or non-utility supplier may, in the first instance, reduce deliveries without regard to such schedule, but shall, as soon as possible thereafter, readjust its operations and deliveries to conform in all respects to such schedule during the continuance of the gas shortage period. The utility or non-utility supplier shall:

(i) First, within the limit of contractual rights, reduce deliveries to all consumers purchasing natural gas under contracts permitting the supplier to interrupt deliveries: *Provided*, That deliveries of gas necessary for the maintenance of the war production and essential civilian services listed in Exhibit A, as the same may be amended from time to time, shall be reduced only to the extent that the fuel requirements for such production and services can be supplied from the consumer's standby facilities: *And provided*, That deliveries shall be maintained to any consumer to the minimum extent necessary to prevent permanent damage to production and service facilities, except that such deliveries shall be interrupted under paragraph (c) (1) (v) below.

(ii) Second, if such action has not previously been taken, operate utility's or non-utility supplier's stand-by gas manufacturing facilities up to their maximum operating capacity: *Provided*, That any utility may request the War Production Board to direct the operation of specific consumer stand-by facilities (in addition to those provided above) prior to the operation of such utility's stand-by manufacturing facilities, upon the ground that such action would relieve the gas shortage more expeditiously, or with less use of critical fuels, or would otherwise be in the interest of the war effort.

(iii) Third, reduce deliveries without regard to the supplier's contractual rights or those of any consumer to all remaining consumers having stand-by facilities, to the extent of the capacity of stand-by facilities.

(iv) Fourth, if such action has not previously been taken, notify all domestic and other consumers by radio, newspaper, or any other available means of general communication, that a temporary gas emergency in the area exists or is imminent and appeal for the immediate institution of voluntary curtailment by all gas consumers, to be maintained until notification that the emergency has passed.

(v) Fifth, interrupt deliveries within the limits of contractual rights to any consumers purchasing gas under contracts permitting the supplier to interrupt deliveries, who have not been fully curtailed under previous steps: *Provided*, That deliveries shall be maintained to consumers listed on Exhibit A to the extent necessary to prevent interference with production or essential operations.

(vi) Sixth, reduce deliveries to all consumers not fully curtailed under previous steps, without regard to the supplier's contractual rights or those of

any consumer or the non-existence of stand-by facilities: *Provided*, That deliveries shall be maintained to consumers listed on Exhibit A to the extent necessary to prevent interference with production or essential operations.

(vii) Seventh, reduce deliveries to any consumers listed in Exhibit A to the extent that operations of such consumers have been determined by the War Production Board to be of such nature as to permit reductions in delivery of gas without permanent loss in production of critical end products or essential services.

(viii) Eighth, if further reductions in deliveries are necessary, curtail all remaining consumers on a uniform proportionate basis so far as practicable pending receipt of special directions from the War Production Board.

(2) A "gas shortage" shall be deemed to exist whenever (i) a utility or non-utility supplier finds it necessary to reduce deliveries to its consumers, or (ii) the utility or non-utility supplier is able to maintain full deliveries to all consumers only by excessive withdrawals from storage or reserves which impair its ability to meet its forthcoming peak-day requirements to the usual extent, or (iii) the War Production Board notifies a utility or non-utility supplier that it considers a shortage to exist on such system.

(3) Deliveries to domestic consumers during gas shortages shall be made pursuant to such directions as the War Production Board may from time to time issue: *Provided*, That any utility may at any time submit to the War Production Board a practicable program for the curtailment of its domestic consumers during such gas shortages and request that it be declared operative by the War Production Board among consumers of such utility.

(4) Except as set forth in the proviso of the first paragraph of paragraph (c) (1), or pursuant to special directions of the War Production Board, deliveries to any consumer in the respective groups defined above in paragraphs (c) (1) (i) to (c) (1) (vii) inclusive, shall not be reduced until deliveries to all consumers in prior groups have been fully suspended in accordance with the specific provisions of such paragraph: *Provided*, That deliveries to consumers in any group who consume less than 3000 mcf of gas per month need not be suspended before commencing curtailment of successive groups where such consumers are scattered or for other reasons not susceptible of speedy curtailment. Reductions to consumers defined in paragraph (c) (1) (i) shall be on such basis as will relieve the shortage most expeditiously; reduction to consumers within all groups defined in paragraph (c) (1) (iii) to (c) (1) (vii) inclusive shall so far as practicable be made on a uniform proportionate basis: *Provided*, That any utility or non-utility supplier may request the War Production Board to approve a specific program for such interruptions within any class of consumers, on a geographic or other basis which will relieve gas shortages more expeditiously.

(5) Each utility or non-utility supplier shall classify each of its industrial and commercial consumers within the applicable grouping in the schedule set forth in paragraph (c) (1) and upon specific request of the War Production Board shall, on or before November 15th of each year forward such consumer classification lists to the War Production Board on Form WPB-619, together with the other data relative to operations during shortages required by such form. Unless modified or revised by direction of the War Production Board, such consumer classification lists submitted on Form WPB-619 shall determine the grouping of each consumer in the application of the curtailment schedule set forth in paragraph (c) (1). At the direction of the War Production Board specific consumers or classes of consumers may at any time be classified in any of the groups defined in paragraph (c) (1) (i) to (c) (1) (vii) inclusive, or in any special group, without regard to size, nature, or terms of delivery, whenever such action will assist in relieving gas shortage more expeditiously, or with less use of critical fuels, or in other respects will be in the interest of the war effort.

(6) Whenever, pursuant to any of the provisions of this order, or any special direction of the War Production Board, a utility or non-utility supplier is required to reduce deliveries to any consumer, it shall notify such consumer accordingly. Upon receipt of such notification each consumer shall reduce his acceptance of gas deliveries in accordance therewith.

(7) Notwithstanding any provisions of this order, if the War Production Board, after investigation, shall determine that any consumer having stand-by facilities, has failed to provide himself with an adequate supply of fuel for the operation of such stand-by facilities despite the availability of such fuel, the War Production Board may prohibit deliveries of gas to, and acceptances of gas by, such consumer to the extent that his requirements of gas could have been decreased through the operation of such stand-by facilities.

(8) The following reports shall be filed with the War Production Board relative to gas shortages:

(i) Whenever any utility or non-utility supplier reduces deliveries of gas to any consumer pursuant to paragraph (c) (1) (v) above or any subsequent subparagraph of (c) (1), such utility or non-utility supplier shall immediately notify the War Production Board, Office of War Utilities, Natural Gas Division, Ref.: U-7, by telegram, of the extent of such reduction.

(ii) On or before the 15th day of each month following a calendar month during which reductions in delivery have occurred, each affected utility or non-utility supplier shall submit a report on Form WPB-620 of the aggregate volumes of natural gas conserved by such reductions in delivery and the volumes of natural gas replaced by consumer stand-by facilities and by utility or non-utility supplier gas manufacturing stand-by facilities.

(iii) On or before the 15th day of each month, each utility or non-utility supplier in certain areas specifically designated by the War Production Board shall submit on Form WPB-2077 a report of natural gas underground storage operations, summarizing such operations for the calendar month preceding the date of reporting.

(d) *Restrictions on deliveries of natural gas to non-residential consumers.* (1) No utility or non-utility supplier shall deliver natural gas to any non-residential consumer for the operation of any gas-fired equipment (including space heating equipment) and no non-residential consumer shall accept such deliveries, unless:

(1) Such equipment was installed and in regular operation at the same premises prior to November 30, 1942: *Provided*, Deliveries of natural gas for the operation thereof were not prohibited prior to that date by Limitation Order L-31, or

(2) If such equipment was converted from some other fuel to natural gas, such conversion was completed and the equipment was in regular operation at the same premises prior to November 30, 1942: *Provided*, That deliveries of natural gas for the operation thereof were not prohibited prior to that date by Limitation Order L-31, or

(3) Such equipment replaces gas-fired equipment of equal or greater capacity previously installed and regularly operated at the same premises for the same purposes: *Provided*, That non-space heating equipment is not replaced with space heating equipment, or

(iv) Such deliveries have been specifically approved by the War Production Board: *Provided*, That deliveries of natural gas may be made where necessary for the operation of oil well or gas well drilling equipment.

(2) The War Production Board may, by specific direction, establish monthly delivery quotas, limit increases in or require decreases of the monthly volume of natural gas which may be delivered to or accepted by any non-residential consumer in certain gas shortage areas, whenever it is determined that such action is necessary or appropriate; and upon the issuance of such directions no person shall make or accept deliveries which are not in conformance therewith.

(e) *Restrictions on deliveries of natural gas to residential consumers.* No utility or non-utility supplier shall deliver to any residential consumer, and no residential consumer shall accept delivery of natural gas for the operation of any space heating equipment in any area listed in Exhibit B unless:

(1) Such equipment was installed and in regular operation at the same premises prior to December 2, 1942: *Provided*, That deliveries of natural gas for the operation of such equipment were not prohibited prior to the same date by Limitation Order L-31; or

(2) If such equipment was converted from some other fuel to natural gas, such conversion was completed and the equipment was in regular operation at the same premises prior to December 2, 1942: *Provided*, That deliveries of natural gas for the operation of such equip-

ment were not prohibited prior to the same date by Limitation Order L-31, or

(3) In the case of new construction in any area listed in Exhibit B, such equipment was specified in the construction contract and was installed prior to March 1, 1943: *Provided*, That deliveries of natural gas for the operation thereof were not prohibited prior to that date by Limitation Order L-31, or

(4) Such equipment replaces gas-fired equipment of equal or greater input capacity installed and regularly operated at the same premises, whether by the same or another consumer, or

(5) Such deliveries have been specifically approved by the War Production Board: *Provided*, That deliveries of natural gas may be made to residential consumers in those areas not listed in Exhibit B of this order, as the same may be from time to time amended, for the operation of space heating equipment.

(f) *Conversions and prohibited installations.* (1) No person shall install or cause to be installed gas-fired equipment designed to receive deliveries of natural gas from any utility if such deliveries are prohibited by paragraphs (d) or (e) of this order.

(2) If the War Production Board, after investigation, shall determine:

(i) That the gas-fired equipment owned or operated by any person can, without exceptional expense or hardship to such person, be converted to the use of, or be replaced by equipment using, a less critical fuel of which a supply is available, and

(ii) That such conversion or replacement will contribute to the alleviation of actual or prospective gas shortages, or to the maintenance of gas deliveries to war producers or essential civilian services, the War Production Board may upon sufficient notice to permit such conversion or replacement, prohibit further deliveries or acceptances of natural gas for the operation of such gas-fired equipment.

(g) *Conservation for war needs.* When the War Production Board by special direction prohibits or limits the use of natural gas for specific purposes in order to safeguard essential gas supplies in the interest of the war effort, no person shall use, deliver, or accept natural gas in violation of restrictions thus established.

(h) *Appeals and applications.* (1) Any person affected by this order, or any direction issued thereunder, who considers that compliance therewith or the operation thereof would work an exceptional and unreasonable hardship, or would in other respects be prejudicial, may appeal for relief by letter to the War Production Board.

(2) Any person who considers that any reduction in or prohibition of deliveries of natural gas made, or proposed to be made pursuant to any provision of this order, or any direction issued thereunder, interferes or will interfere materially with war production or essential civilian service, may apply to the War Production Board for relief by letter communication setting forth all relevant details. Any utility or non-utility supplier which considers that the sup-

ply of natural gas available on its system is sufficient to provide for all existing and estimated future requirements of war industry and unrestricted civilian use, may apply for exemption of its system, or any portion thereof, from the provisions of paragraph (d) or (e) of this order.

(3) Applications by consumers for exemption from any of the restrictions on deliveries of natural gas contained in paragraphs (d) and (e) of this order shall be made on Form WPB-3314.

(i) *Reports and information.* (1) Each utility and non-utility supplier shall keep and preserve for not less than two years accurate and complete records concerning deliveries of natural gas to consumers or to other utilities or non-utility suppliers. Such records shall be subject to inspection by duly authorized representatives of the War Production Board.

(2) All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall, from time to time request.

(j) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Office of War Utilities, Washington 25, D. C. Ref.: U-7.

(k) *Violations.* Any person who wilfully violates any provision of this order or any direction issued hereunder, or who, in connection with such order or direction wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727)

Issued this 25th day of October 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

**EXHIBIT A—CONSUMERS WHOSE GAS DELIVERIES
MAY BE REDUCED UNDER PARAGRAPH (C) (1)
ONLY TO THE EXTENT THAT THE CONSUMERS'
FUEL REQUIREMENTS CAN BE SUPPLIED FROM
STANDBY FACILITIES**

(Gas for space heating purposes to any consumers listed below shall be supplied only to the minimum extent necessary to prevent impairment of health of persons or damage to facilities).

1. *Public Welfare and Safety.* (a) Fire and police stations, prisons, asylums, schools, court-houses, offices of governmental agencies.

(b) Hospitals, dispensaries, research laboratories, medical and dental establish-

ments, crematories, undertaking establishments.

(c) Water, sewage disposal and sanitation systems, to the extent that gas is required for the disposal of sewage and garbage, and for the operation of power equipment.

(d) Public utilities, to the extent that gas is required for the ignition of other fuels (not exceeding 1% of the total B. T. U. content of the fuel used for boiler operations) and for the operation of distribution and transmission equipment.

(e) Boarding, rooming, and residential institutions, dormitories, apartment houses, hotels, housing developments, (to the minimum extent necessary to prevent injury to persons or facilities).

2. *Food.* (a) Public eating establishments (whose principal business is the serving of food), including industrial plant and store cafeterias, but not including private dining rooms, night clubs, taverns, etc.

(b) Bakeries (to the extent necessary for manufacture of bread products only).

(c) Dairies (to minimum extent necessary to prevent loss of perishable products).

(d) Meat, poultry, fish and perishable food packing, raising, and warehousing establishments (to minimum extent necessary to prevent loss of perishable products or material in process).

3. *Transportation and Communication Services and Facilities.* (a) Repair yards, docks and shops, to the extent they are used for the maintenance or repair of public transportation equipment, and equipment used by the armed forces or in connection with police, fire-prevention and public health or safety activities.

(b) Postal, telephone, telegraph and radio.

(c) Newspapers (only to the extent required for dissemination of news to the general public).

4. *Industrial plants* (to the extent they are engaged in the production or processing of the following munitions, equipment or materials):

(a) Airplanes, airplane engines and parts.

(b) Alcohol (industrial).

(c) Castings, extrusions and forgings of ferrous and non-ferrous alloys, including brass, bronze, malleable iron and steel.

(d) Graphite electrodes.

(e) Liquid oxygen.

(f) Metals, as follows: Brass, nickel, cadmium, monel metal, pig iron, steel and ferroalloys.

(g) Military radio, radar, and field communication equipment.

(h) Military and naval map-making and blueprinting.

(i) Naval and merchant ships and parts.

(j) Ordnance items, including guns, ammunition, explosives and combat and military vehicles.

(k) Rubber.

(l) Sulphuric acid.

(m) The following machinery and equipment:

Ball and roller bearings and parts

Boilers (power)

Diesel engines

Electrical measuring instruments

Electrical motor control equipment

Generators and electrical motors

Heat exchangers

High pressure blowers

Industrial pumps (except irrigation and domestic)

Industrial trucks

Locomotive and railroad cars

Mechanical power transmission equipment (including gears of all types)

Mining machinery and equipment

Navigation instruments

Optical instruments and lenses

Pressure vessels

Searchlights (for mobile military equipment)

Steam engines (for marine use only)

Steam turbines
Track-laying tractors
Water purification equipment

EXHIBIT B—AREAS RESTRICTED AGAINST DELIVERIES OF NATURAL GAS TO RESIDENTIAL CONSUMERS FOR SPACE-HEATING PURPOSES UNDER PARAGRAPH (e)

Alabama (only the area supplied by the Southern Natural Gas Company in the following counties):

Autauga, Bibb, Calhoun, Cleburne, Elmore, Etowah, Hale, Jefferson, Lee, Macon, Montgomery, Perry, Pickens, Russell, St. Clair, Shelby, Tuscaloosa and Walker.

Arizona.

Arkansas (only the area supplied by the Mississippi River Fuel Corporation in the following counties):

Ashley, Bradley, Clay, Cleveland, Craighead, Drew, Independence, Jackson, Jefferson, Lawrence, Lincoln, Lono, Prairie, Randolph, Stuttgart, Warren and White.

California.

Colorado (only the area supplied by the Colorado Interstate Gas Company in the following counties):

Adams, Arapahoe, Bent, Boulder, Denver, Douglas, El Paso, Fremont, Larimer, Las Animas, Otero, Pueblo and Weld.

Georgia.

Illinois.

Indiana.

Iowa.

Kansas (only the following counties): Allen, Anderson, Atchison, Barber, Barton, Bourbon, Brown, Butler, Chase, Chautauqua, Cherokee, Cheyenne, Clay, Cloud, Coffey, Cowley, Crawford, Decatur, Dickinson, Doniphan, Douglas, Edwards, Elk, Ellis, Ellsworth, Franklin, Geary, Greenbeld, Harper, Harvey, Jackson, Jefferson, Jewell, Johnson, Kingman, Kiowa, Labette, Leavenworth, Lincoln, Linn, Logan, Lyon, Marion, Marshall, McPherson, Miami, Mitchell, Montgomery, Morris, Nemaha, Neosho, Norton, Osage, Osborne, Ottawa, Pawnee, Phillips, Pottawatomie, Pratt, Rawlins, Reno, Republic, Rice, Riley, Rooks, Rush, Russell, Saline, Scott, Sedgewick, Shawnee, Smith, Stafford, Sumner, Thomas, Wabaunsee, Washington, Wilson, Woodson, Wyandotte.

and the area served by Northern Natural Gas Company, Panhandle Eastern Pipe Line Company, and Natural Gas Pipeline Company of America in the following counties: Ford, Meade.

Kentucky.

Maryland.

Michigan.

Minnesota.

Mississippi (only the area supplied by the Memphis Natural Gas Company and Southern Natural Gas Company in the following counties):

Attala, Clay, Holmes, Issaquena, Kemper, Lauderdale, Lee, Leake, Lowndes, Monroe, Neshoba, Oktibbeha, Sharkey, Warren, Winston, and Yazoo.

Missouri.

Nebraska (only the following counties): Adams, Buffalo, Burt, Butler, Cass, Clay, Colfax, Cuming, Dakota, Dawson, Dixon, Dodge, Douglas, Franklin, Frontier, Furnas, Gage, Gosper, Fillmore, Hall, Harlan, Hamilton, Jefferson, Johnson, Kearney, Keith, Lancaster, Lincoln, Nemaha, Nuckolls, Otoe, Pawnee, Phelps, Polk, Red Willow, Richardson, Saline, Sarpy, Saunders, Seward, Thayer, Thurston, Washington, Wayne, Webster, and York.

New Jersey.

New Mexico (only the area supplied by the Colorado Interstate Gas Company and El Paso Natural Gas Company in the following counties):

Dona Ana, Grant, Hidalgo, Luna, and Union.

New York.

Ohio.

Oklahoma (only the area supplied by the Cities Service Gas Company and Consolidated Gas Utilities Corporation in the following counties):

Alfalfa, Beaver, Caddo, Cleveland, Craig, Creek, Ellis, Grant, Harper, Hughes, Kay, Lincoln, Logan, McClain, Noble, Nowata, Okfuskee, Oklahoma, Osage, Ottawa, Pawnee, Ponotoc, Seminole, Texas, Washington, Woodson, and Woodward.

Pennsylvania.

South Dakota (only the following counties):

Clay, Lincoln, Minnehaha, Union, and Yankton.

Tennessee.

Utah.

Virginia.

West Virginia.

Wyoming (only the area supplied by Colorado Interstate Gas Company and Mountain Fuel Supply Company in the following counties):

Laramie, Sweetwater and Uinta.

[F. R. Doc. 43-17260; Filed, October 25, 1943; 11:17 a. m.]

foods in accordance with Ration Order 16).

5. Section 22.1 is amended as follows:

In the definition of "Army, Navy, Marine Corps and Coast Guard personnel" the following sentence is added at the end thereof:

Wherever "Army, Navy, Marine Corps and Coast Guard personnel" appears in the order, "prisoners of war" shall be deemed to be added at the end thereof.

This amendment shall become effective October 27, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WFB Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471, respectively)

Issued this 21st day of October 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-17187; Filed, October 22, 1943; 4:34 p. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 5¹ Amdt. 39]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

1. Section 15.2 (b) is added to read as follows:

(b) The restriction contained in paragraph (a) does not apply to rationed foods which an institutional user acquires on behalf of a consumer in exchange for a certificate or ration coupon issued to that consumer for health reasons under § 1407.75 of Rationing Order 3, section 2.5 of Ration Order 13 or section 2.4 of Ration Order 16 and which he uses for service to that consumer.

2. Section 17.1 (b) is amended by adding a final sentence to read as follows:

The obligations imposed on an institutional user by this paragraph do not apply to one engaged in the care and treatment of the sick insofar as the patients are concerned. (However, the patient must comply with paragraph (a) in any event).

3. Section 21.1 (a) is amended by inserting the words "The Office of Lend-Lease Administration, the Food Distribution Administration", between the words "Coast Guard" and the words "or War Shipping Administration".

4. Section 21.1 (c) and section 21.1 (d) are revoked and a new section 21.1 (c) is added to read as follows:

(c) The provisions of this order do not apply to the Maritime Commission of the United States with respect to foods covered by Ration Order 16. (The Maritime Commission obtains such

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C¹, Amdt. 77, Correction]

MILEAGE RATIONING; GASOLINE REGULATIONS

In § 1394.8215 (v) (2) in Amendment No. 77 to Ration Order No. 5C, the date "October 6" is corrected to read "October 11, 1943".

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 21st day of October 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-17196; Filed, October 22, 1943; 4:33 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13² Amdt. 73]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The last sentence of section 22.3 (d) is amended to read as follows:

If the district (or State) or the Washington Office finds that the stated amount of processed foods was exported by the applicant and that he has not already received points with which to acquire or replace them, it shall issue a certificate to him for the number of points needed to replace the processed foods which he exported.

*Copies may be obtained from the Office of Price Administration.

¹8 F.R. 10002, 11876, 11480, 11479, 12483, 12557, 12403, 12744.

²7 F.R. 9135.

³8 F.R. 11048, 11383, 11483, 11513, 11753, 11812, 12026, 12297, 12485, 12548, 12560, 12812, 12693, 12446, 13301, 13492.

This amendment shall become effective October 27, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 21st day of October 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-17189; Filed, October 22, 1943;
4:33 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13,¹ Amdt. 74]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 13 is amended in the following respects:

1. Section 2.3 (a) is amended by adding the following sentence to the end thereof:

Moreover, consumers may sell or transfer processed foods having a zero point value at the time of the sale or transfer.

2. Section 6.6 (c) is amended by inserting the following sentence after the fourth sentence:

However, any item of processed foods having a zero point value at the time an industrial user applies for his allotment must be excluded from his base period use in computing the amount of his allotment.

3. Section 6.8 (c) is added to read as follows:

(c) The restrictions imposed by this section on an industrial user's use of processed foods do not apply to items of processed foods having a zero point value.

4. Section 10.1 (c) is added to read as follows:

(c) No points need be given up for a transfer of processed foods having a zero point value at the time of the transfer.

This amendment shall become effective October 27, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9250, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 21st day of October 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-17188; Filed, October 22, 1943;
4:34 p. m.]

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 11048, 11383, 11483, 11513, 11753, 11812, 12026, 12297, 12312, 12446, 12485, 12548, 12560, 12312, 12693, 12446, 13301, 13492.

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Restaurant MPR 3-5, Amdt. 3]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN DESIGNATED COUNTIES IN OHIO

A statement of the considerations involved in the issuance of this Amendment No. 3 to Restaurant Maximum Price Regulation No. 3-5 has been issued simultaneously herewith and filed with the Division of the Federal Register.

Restaurant Maximum Price Regulation No. 3-5 is amended in the following respects:

1. Section 3 (c) is amended to read as follows:

(c) *Legal holidays.* (1) Your ceiling prices for food items or meals served on those days designated legal holidays by Federal law or the law of the State in which the establishment is located may be the same as your Sunday ceiling prices for such establishment.

(2) Where you customarily charged higher than Sunday prices for meals and food items served on Thanksgiving Day, Christmas Day, New Year's Eve, New Year's Day, and Easter, you may continue to charge higher prices on such special holidays: *Provided however,* That such higher prices shall in no event exceed 115% of your ceiling prices for Sundays as established under this order.

2. Section 6 (b) (2) is amended to read as follows:

(2) You may limit your customer to one pat of butter per meal; and when required by the restrictions of the rationing program, you may vary the size of such pats of butter. In such case, however, you shall adjust the price of such servings of butter, whenever a separate charge is made therefor, in direct proportion to the change in size of serving. The resulting figure, if it contains a fraction of a cent, shall be adjusted to the next lower cent if the fraction is less than one-half, and to the next higher cent if the fraction is one-half or greater.

3. Section 10 is amended by the addition of paragraph (d) to read as follows:

(d) Eating and drinking places operated by any school, college or university which is a non-profit institution (that is, where no part of the net earnings inures to the benefit of any private shareholder or individual), which sells food items or meals on a non-profit or cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to students, faculty members and employees of such institution. For purposes of this paragraph, persons receiving instruction on the premises of such institution by arrangement with the War Department or Department of the Navy shall be considered students.

This amendment shall become effective October 12, 1943.

Issued October 12, 1943.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 43-17190; Filed, October 22, 1943;
4:34 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1 to GMPR, Amdt. 32]

DOMESTIC BOTANICAL DRUGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 2.5 (d) is amended to read as follows:

(d) Domestic botanical drugs.

(*Note:* Sales and deliveries of botanical drugs originating outside of and imported into the continental United States are subject to the Maximum Import Price Regulation.)

This amendment shall become effective October 28, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-17192; Filed, October 22, 1943;
4:34 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 621 Under 3 (b)]

THE SMITHS, INC.

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, *It is hereby ordered:*

§ 1499.2158 *Approval of maximum prices for the sale of white oak or ash moulding by The Smiths, Inc.* (a) The Smiths, Inc., Barnesville, Georgia, may sell and deliver and any person may buy from said company, White Oak or Ash Moulding at prices f. o. b. mill no higher than as set forth below:

5/8" by 13/16" White Oak or Ash Moulding @ \$1.25 per C linear feet.

(b) All discounts, credit allowances and all other terms relating to payment in effect by applicant in March 1942 shall apply to the prices herein determined.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective October 23, 1943.

Issued this 21st day of October 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-17191; Filed, October 22, 1943;
4:35 p. m.]

[Order 375,¹ Under Amdt. 3 (b), 1]

PART 1499—COMMODITIES AND SERVICES

PROCESSED FOOD COMMODITIES WHICH CAN NOT BE PRICED UNDER § 1499.2

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

¹ 8 F.R. 4734.

Section 1499.1862 (h) is added to read as follows:

(h) The provisions of this order shall apply to the 48 States of the United States and the District of Columbia.

This amendment shall become effective October 23, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of October 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-17193; Filed, October 22, 1943;
4:33 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C, Amdt. 82]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. Section 1394.7706 (x) (6) is added to read as follows:

(6) A State Director or Assistant State Director of the National War Fund, for the performance of the official business of the National War Fund.

(i) Daily or periodic travel between home or lodgings and a fixed place of work shall not be deemed performance of official business.

(ii) No preferred mileage shall be allowed for travel on which the applicant is not exclusively engaged in the performance of his official duties.

2. Section 1394.7851 (b) (2) (vi) is added to read as follows:

(vi) To transport a representative of the National War Fund designated by the appropriate County Chairman, for the purpose of carrying on the official business of the National War Fund. A special ration issued under this subdivision shall not provide mileage in excess of an average of 120 miles per week. Special rations under this subdivision shall not be issued for the same period for the transportation of more than two designated representatives in any county.

(a) The applicant shall present the certification of the appropriate County Chairman of the National War Fund, stating that the applicant is a duly accredited representative of the National War Fund and certifying the mileage needed by him for the performance of his official business and the period for which such mileage is required.

3. Section 1394.7851 (c) (4) is amended by substituting the phrase "or paragraph (b) (2) (i), (ii), (iii) or (vi)" for the phrase "or paragraph (b) (2) (i), (ii) or (iii)."

*Copies may be obtained from the Office of Price Administration.

¹7 F.R. 9135.

This amendment shall become effective at 12:01 a. m. October 2, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, and 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 22d day of October 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-17195; Filed, October 22, 1943;
4:31 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 38]

PHOSPHORUS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 4.14 is added to read as follows:

SEC. 4.14 Phosphorus produced in October, November, and December 1943 and sold to the Chemical Warfare Service—

(a) **Maximum prices.** The maximum price per pound for sales and deliveries to the Chemical Warfare Service of the United States Army of phosphorus produced in the months of October, November, and December 1943 shall be:

(1) For phosphorus produced with power purchased at normal rates, the maximum price established under § 1499.2

(2) For phosphorus produced with high cost power, the maximum price established under § 1499.2, or the actual cost of production of such phosphorus divided by the number of pounds so produced, whichever is higher.

(i) The actual cost of production of phosphorus produced with high cost power means the sum of the following:

(a) The cost of the power used and

(b) The manufacturing cost of such phosphorus, including all costs except the cost of power, general administrative and selling expense, income and excess profits taxes, provision for war reserves and reserves for contingencies, and similar items. Normal depreciation rates shall be used in computing cost.

(ii) The number of pounds of phosphorus produced with high cost power shall be considered to be the total number of pounds of phosphorus produced in the months of October, November, and December 1943 multiplied by the ratio of the number of kilowatt hours of high cost power used during such period to the total number of kilowatt hours used during such period.

(b) **Provisional settlements.** The buyer and seller may make provisional monthly settlements for deliveries of phosphorus produced in the months of October, November, and December 1943 at a price in excess of the seller's maximum price under § 1499.2: *Provided*, That on or before March 1, 1944, final settlement is made for such deliveries at the maximum prices herein established.

(c) **Report.** On or before March 1, 1944, each person who sells phosphorus to the Chemical Warfare Service under the terms of this amendment shall report in writing to the Office of Price Administration, Washington, D. C., showing:

(1) The number of pounds of phosphorus produced during the months of October, November, and December 1943, the number of pounds produced with power purchased at normal rates, and the number of pounds produced with high cost power;

(2) The total number of pounds of such phosphorus sold to the Chemical Warfare Service;

(3) The prices charged on sales and deliveries to the Chemical Warfare Service; and

(4) The cost of production (as defined herein) of the phosphorus produced with high cost power, broken down in the detail and in accordance with the method customarily used by the seller in computing his cost of production of phosphorus, together with an explanation of the method of allocation of any costs not directly attributable to the production of phosphorus.

This amendment shall become effective as of October 1, 1943.

NOTE: The reporting requirement of this amendment has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of October 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-17220; Filed, October 23, 1943;
11:45 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 39]

STORAGE OF GRAIN

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 8.2 (a) (1) of Revised Supplementary Regulation No. 14 is amended to read as set forth below:

(1) **Storage of grain in States of Idaho and Utah.** Maximum prices for storage of grain and for services incident thereto, performed by warehouses situated in the States of Idaho and Utah, shall continue to be determined under the provisions of the General Maximum Price Regulation, except that the maximum prices for the following services, when performed for persons other than the United States Government or any agency thereof, shall be as follows:

Storage of grain in warehouses, 15¢ per ton per month, with 30 days free storage.

Handling in and out of warehouse, \$1.00 per ton.

This amendment shall become effective as of August 10, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of October 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-17221; Filed, October 23, 1943;
11:45 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 45]

EMERGENCY SURCHARGE FOR COTTON

The statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Subparagraph (6) of section 8.2 (b) of Revised Supplementary Regulation No. 14 is amended to read as follows:

(6) *Emergency surcharge during 1943-44 season*—(i) *In Oklahoma and Texas*. From July 26, 1943, to July 31, 1944, inclusive, cotton warehousemen in the states of Oklahoma and Texas who comply with the requirements of this subdivision (i) may charge, for the services of storing, receiving, handling and compressing cotton and for miscellaneous services in connection with the warehousing of cotton, their maximum prices established by § 1499.2 of the General Maximum Price Regulation and Amendments 14 and 40 to Supplementary Regulation No. 14 (now designated as section 8.2 (b) (1) to (5), inclusive, of Revised Supplementary Regulation No. 14), plus a surcharge in the amount of 20%. Warehousemen affected by the provisions of this subdivision (i) shall, within 30 days after August 26, 1943, file with the Transportation and Warehouse Section of the Regional Office of the Office of Price Administration, Fidelity Building, Dallas 2, Texas, copies of their tariffs or rate schedules in effect during the season of 1942-1943.

(ii) *In Arkansas, Louisiana, Mississippi, Missouri and Tennessee*. From August 1, 1943, to July 31, 1944, inclusive, cotton warehousemen in the states of Arkansas, Louisiana, Mississippi, Missouri, and Tennessee may charge, for the services of storing, receiving, handling, and compressing cotton and for miscellaneous services in connection with the warehousing of cotton, their maximum prices established by § 1499.2 of the General Maximum Price Regulation and Amendments 14 and 40 to Supplementary Regulation No. 14 (now designated as section 8.2 (b) (1) to (5), inclusive, of Revised Supplementary Regulation No. 14), plus a surcharge in the amount of 12%.

(iii) *In Arizona, California and New Mexico*. From August 1, 1943, to July 31, 1944, inclusive, cotton warehousemen in the states of Arizona, California and New Mexico may charge, for the services of storing, receiving, handling, and compressing cotton and for miscellaneous services in connection with the warehousing of cotton, their maximum prices established by § 1499.2 of the General Maximum Price Regulation and Amendments 14 and 40 to Supplementary Regulation No. 14 (now designated as section 8.2 (b) (1) to (5), inclusive, of Revised Supplementary Regulation No. 14), plus a surcharge in the amount of 20%.

This amendment shall become effective October 22, 1943.

NOTE: The reporting provisions of this Amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of October 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-17197; Filed, October 22, 1943;
4:31 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 418, Amdt. 13]

FRESH FISH AND SEAFOOD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation 418 is amended in the following respects:

1. Section 2 (a) is amended by inserting after the sentence ending with the words "through an agent of any kind," the sentence "Nevertheless, a cooperative association of fishermen which performs the functions of a primary fish shipper wholesaler or other wholesaler, and which prior to October 23, 1943 was engaged in, performing those functions, may sell at the prices provided in Table B, D, or E depending on the character of the sale."

2. Schedule Nos. 62 and 63 are added to Table A in section 20 to read as follows:

TABLE A—MAXIMUM PRICES FOR PRODUCERS OF FRESH FISH AND SEAFOOD

Schedule No.	Name	Item No.	Style of dressing	Size	Price per pound			
					Oct.		Nov.	
					Bulk ex- ves- sel	Boxed	Bulk ex- ves- sel	Boxed
62.....	Lake herring (Leucichthys artedi) ³¹	1	Round	All.	\$.03	\$.04	\$.03	\$.04
		2	Gutted	All.	.04 ¹	.05 ¹	.04 ¹	.05 ¹
63.....	Lake herring—caught in Saginaw Bay (Leucichthys artedi)	1	Round	All.	.05	.06	.06	.06
		2	Gutted	All.	.06 ¹	.07 ¹	.06 ¹	.07 ¹

3. Footnote 31 is added to the end of Table A in section 20 to read as follows:

"The maximum prices listed for this species of fish apply only when it is caught in Lake Superior, Lake Michigan, Lake Huron, and waters tributary thereto, except Saginaw Bay.

4. Footnote 32 is added to the end of Table A in section 20 to read as follows:

³¹ December 1 to December 15, inclusive.

5. Schedule Nos. 62 and 63 are added to Table B in section 20 to read as follows:

TABLE B—MAXIMUM PRICES FOR PRIMARY FISH SHIPPER SALES OF FRESH FISH AND SEA FOOD

Schedule No.	Name	Item No.	Style of dressing	Size	Price per pound		
					Oct.		Nov.
							Dec. ^{**}
62.....	Lake herring (Leucichthys artedi) ³¹	1	Round	All.	\$.05	\$.05	\$.05
		2	Gutted	All.	.07	.07	.07
		3	Headed and gutted	All.	.08 ¹	.08 ¹	.08 ¹
		4	Headed, gutted and scaled	All.	.09 ¹	.09 ¹	.09 ¹
		5	Fillets	All.	.15	.15	.15
		6	Boned	All.	.15	.15	.15
63.....	Lake herring—caught in Saginaw Bay (Leucichthys artedi)	1	Round	All.	.07	.07	.07
		2	Gutted	All.	.10	.10	.10
		3	Headed and gutted	All.	.08 ¹	.08 ¹	.08 ¹
		4	Headed, gutted and scaled	All.	.09 ¹	.09 ¹	.09 ¹
		5	Fillets	All.	.15	.15	.15
		6	Boned	All.	.15	.15	.15

³¹ 8 F.R. 9366, 10086, 10513, 10939, 11734, 12468, 12233, 12688, 13297, 13182, 13302, 14049.

* Copies may be obtained from the Office of Price Administration.

6. Schedule Nos 62 and 63 are added to Table C in section 20 to read as follows:

TABLE C—MAXIMUM PRICES FOR RETAILER-OWNED COOPERATIVE SALES OF FRESH FISH AND SEAFOOD

Sched. No.	Name	Item No.	Style of dressing	Size	Price per pound		
					Oct.	Nov.	Dec. ^u
62.....	Lake herring (Leucichthys artedi) ^u .	1	Round	All.	\$.06 ^{1\frac{1}{2}}	\$.06 ^{1\frac{1}{2}}	\$.06 ^{1\frac{1}{2}}
		2	Gutted	All.	.08 ^{1\frac{1}{2}}	.08 ^{1\frac{1}{2}}	.08 ^{1\frac{1}{2}}
		3	Headed and gutted	All.	.10 ^{1\frac{1}{2}}	.10 ^{1\frac{1}{2}}	.10 ^{1\frac{1}{2}}
		4	Headed, gutted and scaled	All.	.11 ^{1\frac{1}{2}}	.11 ^{1\frac{1}{2}}	.11 ^{1\frac{1}{2}}
		5	Fillets	All.	.17	.17	.17
		6	Boned	All.	.17	.17	.17
63.....	Lake herring caught in Saginaw Bay (Leucichthys artedi).	1	Round	All.	.08 ^{1\frac{1}{2}}	.08 ^{1\frac{1}{2}}	.08 ^{1\frac{1}{2}}
		2	Gutted	All.	.11 ^{1\frac{1}{2}}	.11 ^{1\frac{1}{2}}	.11 ^{1\frac{1}{2}}
		3	Headed and gutted	All.	.10 ^{1\frac{1}{2}}	.10 ^{1\frac{1}{2}}	.10 ^{1\frac{1}{2}}
		4	Headed, gutted and scaled	All.	.11 ^{1\frac{1}{2}}	.11 ^{1\frac{1}{2}}	.11 ^{1\frac{1}{2}}
		5	Fillets	All.	.17	.17	.17
		6	Boned	All.	.17	.17	.17

7. Schedule Nos. 62 and 63 are added to Table D in section 20 to read as follows:

TABLE D—MAXIMUM PRICES FOR CASH AND CARRY SALES OF FRESH FISH AND SEAFOOD

Schedule No.	Name	Item No.	Style of dressing	Size	Price per pound		
					Oct.	Nov.	Dec. ^u
62.....	Lake herring (Leucichthys artedi) ^u .	1	Round	All.	\$.08	\$.08	\$.08
		2	Gutted	All.	.10	.10	.10
		3	Headed and gutted	All.	.11 ^{1\frac{1}{2}}	.11 ^{1\frac{1}{2}}	.11 ^{1\frac{1}{2}}
		4	Headed, gutted and scaled	All.	.12 ^{1\frac{1}{2}}	.12 ^{1\frac{1}{2}}	.12 ^{1\frac{1}{2}}
		5	Fillets	All.	.19	.19	.19
		6	Boned	All.	.19	.19	.19
63.....	Lake herring caught in Saginaw Bay (Leucichthys artedi).	1	Round	All.	.10	.10	.10
		2	Gutted	All.	.13	.13	.13
		3	Headed and gutted	All.	.11 ^{1\frac{1}{2}}	.11 ^{1\frac{1}{2}}	.11 ^{1\frac{1}{2}}
		4	Headed, gutted and scaled	All.	.12 ^{1\frac{1}{2}}	.12 ^{1\frac{1}{2}}	.12 ^{1\frac{1}{2}}
		5	Fillets	All.	.19	.19	.19
		6	Boned	All.	.19	.19	.19

8. Schedule Nos. 62 and 63 are added to Table E in section 20 to read as follows:

TABLE E—MAXIMUM PRICES FOR SERVICE AND DELIVERY SALES OF FRESH FISH AND SEAFOOD

Schedule No.	Name	Item No.	Style of dressing	Size	Price per pound		
					Oct.	Nov.	Dec. ^u
62.....	Lake herring (Leucichthys artedi) ^u .	1	Round	All.	\$.10 ^{1\frac{1}{2}}	\$.10 ^{1\frac{1}{2}}	\$.10 ^{1\frac{1}{2}}
		2	Gutted	All.	.12 ^{1\frac{1}{2}}	.12 ^{1\frac{1}{2}}	.12 ^{1\frac{1}{2}}
		3	Headed and gutted	All.	.14 ^{1\frac{1}{2}}	.14 ^{1\frac{1}{2}}	.14 ^{1\frac{1}{2}}
		4	Headed, gutted and scaled	All.	.15 ^{1\frac{1}{2}}	.15 ^{1\frac{1}{2}}	.15 ^{1\frac{1}{2}}
		5	Fillets	All.	.21 ^{1\frac{1}{2}}	.21 ^{1\frac{1}{2}}	.21 ^{1\frac{1}{2}}
		6	Boned	All.	.21 ^{1\frac{1}{2}}	.21 ^{1\frac{1}{2}}	.21 ^{1\frac{1}{2}}
63.....	Lake herring caught in Saginaw Bay (Leucichthys artedi).	1	Round	All.	.12 ^{1\frac{1}{2}}	.12 ^{1\frac{1}{2}}	.12 ^{1\frac{1}{2}}
		2	Gutted	All.	.15 ^{1\frac{1}{2}}	.15 ^{1\frac{1}{2}}	.15 ^{1\frac{1}{2}}
		3	Headed and gutted	All.	.14 ^{1\frac{1}{2}}	.14 ^{1\frac{1}{2}}	.14 ^{1\frac{1}{2}}
		4	Headed, gutted and scaled	All.	.15 ^{1\frac{1}{2}}	.15 ^{1\frac{1}{2}}	.15 ^{1\frac{1}{2}}
		5	Fillets	All.	.21 ^{1\frac{1}{2}}	.21 ^{1\frac{1}{2}}	.21 ^{1\frac{1}{2}}
		6	Boned	All.	.21 ^{1\frac{1}{2}}	.21 ^{1\frac{1}{2}}	.21 ^{1\frac{1}{2}}

This amendment shall become effective October 23, 1943; except as to sales governed by prices listed in Tables C, D and E in section 20 it shall become effective October 30, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of October 1943.

CHESTER A. BOWLES,
Acting Administrator.

[F. R. Doc. 43-17239; Filed, October 23, 1943;
8:48 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 18,1 Amdt. 77]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 11048, 11383, 11483, 11513, 11753, 11812, 12026, 12297, 12312, 12446, 12485, 12548, 12560, 12312, 12693, 12446, 13301, 13492, 13980.

Ration Order 13 is amended in the following respects:

1. The head note to section 2.2 is amended to read as follows:

SEC. 2.2 *Consumers and industrial and institutional users may not purchase processed foods between certain dates.*

2. Section 2.2 (b) is added to read as follows:

(b) From October 23 to October 30, 1943, inclusive, no consumer, "industrial" or "institutional user" may buy or acquire "jams", "jellies", "fruit butters", "marmalades" (other than citrus marmalades) or "preserves" from any other person. (However, consumers may, during that period, borrow such foods from, and return such borrowed foods to, another consumer and may acquire such foods from another consumer for consumption at a common table.)

3. The head note to section 9.1 is amended to read as follows:

SEC. 9.1 *No transfers may be made to certain persons between certain dates.*

4. Section 9.1 (b) is added to read as follows:

(b) From October 23 to October 30, 1943, inclusive, no person may sell or transfer "jams", "jellies", "fruit butters", "marmalades" (other than citrus marmalades) or "preserves" to a consumer, "industrial" or "institutional user", regardless of any contract or other agreement. (Certain transactions between consumers, covered in section 2.2 are excepted from this rule.)

5. The following are added to the definitions in section 22.1 (a):

(25) "Fruit butter" means:

(i) A product meeting the standards for fruit butter established in the regulations promulgated by the Food and Drug Administration. (5 F.R. 3561); or

(ii) A product sold or "transferred", or held for sale or transfer, or principally used as a fruit butter or an imitation fruit butter, whether or not labelled as such.

(26) "Jam" or "preserve" means:

(i) A product meeting the standards for jams or preserves established in the regulations promulgated by the Food and Drug Administration. (5 F.R. 3554); or

(ii) A product sold or "transferred", or held for sale or transfer, or principally used as a jam or preserve or as an imitation jam or preserve, whether or not labelled as such; or

(iii) A viscous or semi-solid product, containing fruit, fruit juice, or pectin, which is sold or transferred, or held for sale or transfer, or principally used as a pie or pastry filling, whether or not labelled as such.

(27) "Jelly" means:

(i) A product meeting the standards for jellies established in the regulations promulgated by the Food and Drug Administration. (5 F.R. 3558); or

(ii) A product sold or "transferred", or held for sale or transfer, or principally used as a jelly or as an imitation jelly, whether or not labelled as such.

(28) "Marmalade" means a viscous or semi-solid food product made from citrus fruit, including the rind or peel, and cooked with sugar or other saccharin ingredients; and any product sold or "transferred" or held for sale or transfer, or principally used as a marmalade or imitation marmalade, whether or not labelled as such.

This amendment shall become effective at 12:01 a. m., October 31, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 22d day of October 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-17219; Filed, October 23, 1943;
11:45 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13,¹ Amdt. 78]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 13 is amended in the following respects:

1. Sec. 3.1 (a) (1) (iii) is added to read as follows:

(iii) If he makes "jams", "jellies", "fruit butters", "marmalades" or "preserves".

2. Sec. 6.9 (b) (2) is revoked.

3. Sec. 14.8 is revoked.

4. Sec. 16.7 (a) (1) is amended to read as follows:

(1) Produces fountain fruits, or

5. Sec. 16.7 (a) (3) is amended by striking therefrom the words "condensed or evaporated milk, or meat, or"

6. Sec. 16.8 is revoked.

7. Sec. 21.1 (a) (10) (vi) is added to read as follows:

(vi) "Jams", "jellies", "fruit butters", "marmalades" and "preserves".

8. Sec. 21.1 (a) (12) (1) (f) is added to read as follows:

(f) Makes "jams", "jellies", "fruit butters", "marmalades" or "preserves".

9. Appendix A is amended by striking therefrom the words "jams, jellies, marmalades, fruit butters and other similar

*Copies may be obtained from the Office of Price Administration.

¹8 F.R. 11048, 11383, 11483, 11513, 11753, 11812, 12026, 12297, 12312, 12446, 12485, 12548, 12560, 12812, 12893, 12446, 12492, 13980.

preserves"; and by adding thereto, in its proper alphabetical order, the following: "Pie or pastry cream fillings, with or without fruit flavoring."

This amendment shall become effective at 12:01 a. m., October 31, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 493, 567 and 739, 77th Cong.; E.O. 9126, 7 F.R. 2719; E.O. 9250, 7 F.R. 10179; WPB Directive 1, 7 F.R. 582; Food Directive 3, 8 F.R. 2305, and Food Directive 5, 8 F.R. 2251)

Issued this 23d day of October 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-17240; Filed, October 23, 1943;
3:48 p. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 203—BRIDGE REGULATIONS

FLORIDA STATE ROAD DEPARTMENT BRIDGE AT WEST BAY, FLA.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), the following supplemental regulations are prescribed to govern the operation of the Florida State Road Department bridge on State Highway No. 10 across the Intracoastal Waterway at West Bay, Florida:

§ 203.481b *Intracoastal Waterway; bridge of Florida State Road Department at West Bay, Florida.* (a) For the duration of the war the owner or agency controlling the bridge shall not open the draw between the hours of 6:45 a. m. and 7:45 a. m. daily, except as otherwise provided in paragraph (b) of this section.

(b) The draw shall be opened at any time for the passage of a tow or crash boats, or in an emergency. An emergency shall be indicated by four blasts of the signaling device.

(c) The owner of, or agency controlling the bridge shall keep conspicuously posted on both the upstream and downstream sides of the bridge, in a manner that it can easily be read at any time, a copy of these regulations. (Sec. 5, 28 Stat. 362, 33 U.S.C. 499) [Regs. 11 October 1943 (CE 823 (Gulf Intracoastal W. W.-West Bay, Fla.-Mi. 278.5)-SPEKH])

[SEAL]

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-17250; Filed, October 25, 1943;
9:50 a. m.]

TITLE 46—SHIPPING

Chapter II—Coast Guard: Inspection and Navigation

PART 136—"A" MARINE INVESTIGATION BOARD RULES

TEMPORARY WARTIME RULES GOVERNING INVESTIGATIONS OF ACCIDENTS AND CASUALTIES

By virtue of the authority vested in me by section 4450, R.S., as amended (46 U.S.C. 239), and Executive Order No. 9083, dated February 28, 1942 (7 F.R. 1609), the temporary wartime rules and regulations governing investigations of accidents and casualties are amended as follows:

Paragraph (a) of § 136.103 *Notice of casualty and voyage records* (7 F.R. 6778, 10866; 8 F.R. 550, 2159) is amended by deleting the last sentence and adding in lieu thereof the following:

§ 136.103 *Notice of casualty and voyage records.* (a) * * * If not readily available, the completion of Coast Guard Form NCG 2692 with respect to estimated value of vessel and cargo and the amount of insurance on the vessel and cargo may be dispensed with. A report of personal accident not involving death shall be made on Coast Guard Form NCG 924e. These forms (NCG 2692 and NCG 924e) need not be executed under oath.

L. T. CHALKER,
Acting Commandant.

OCTOBER 23, 1943.

[F. R. Doc. 43-17251; Filed, October 25, 1943;
10:18 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Order ODT 18A]

PART 500—CONSERVATION OF RAIL EQUIPMENT

CARLOAD FREIGHT TRAFFIC

General outline. This General Order ODT 18A supersedes General Order ODT 18, Revised, as amended. Outstanding Special Directions issued in connection with General Order ODT 18, Revised, as amended, are revoked. Special Direction ODT 18A-1, Special Direction ODT 18A-2, Special Direction ODT 18A-3, and General Permit ODT 18A-1 are being issued concurrently with General Order ODT 18A.

This order, like General Order ODT 18, Revised, establishes loading requirements for carload freight. It has general application with respect to carload freight offered for transportation at any point of origin in the continental United States whether such freight is destined to a point in the United States or otherwise. The order does not apply to carload freight loaded in a freight car at a

point of origin outside the continental United States and destined to a point in the United States. Provision is made in the new order for the loading of merchandise in a car with carload freight when such loading is authorized by a special permit issued by the Office of Defense Transportation.

Section 500.72 of the order provides that except as otherwise provided in the order no person shall offer for transportation and no rail carrier shall accept for transportation any carload freight which does not meet one of the specified alternative loading requirements. The loading requirements are substantially the same as those contained in General Order ODT 18, Revised. Section 500.76 of the order provides that except with respect to carload freight which is loaded to the marked capacity of the car, or in accordance with the provisions of a special direction, or is covered by an exemption contained in paragraphs (a), (b), (c), (d), or (e) of § 500.75 of the order, a certificate shall be endorsed on the shipping instructions specifying compliance with other provisions of the order, or making reference to an applicable exemption or general or special permit. Section 500.78 of the order provides that under stated circumstances, not in excess of three consignors may consolidate in a single car separate consignments of carload freight originating at the same point of origin, for shipment to not in excess of three consignees at not in excess of three destinations. Section 500.79 of the order provides in part that rail carriers shall publish a specific tariff rule or rules governing the restowing or rebracing of carload freight at intermediate destinations to apply on carload freight transported subject to the consolidation privileges provided for in § 500.78 of the order.

This general outline of the order is made for information purposes only and the specific provisions of the order are in no way affected by any statement contained herein.

Pursuant to Executive Order 8989, in order to make available railway cars and other transportation facilities and equipment for the preferential transportation of material of war, as contemplated by section 6 (8) of the Interstate Commerce Act, as amended; to prevent shortages of equipment necessary for such transportation; to conserve and providently utilize motive power and other transportation facilities and service; and to expedite the movement of freight traffic, the attainment of which purposes is essential to the successful prosecution of the war, General Order ODT 18, Revised, as amended (§§ 500.20 through 500.30) shall be superseded, and, it is hereby ordered that:

Sec.

- 500.70 Definitions.
- 500.71 Applicability.
- 500.72 Loading of carload freight.
- 500.73 Issuance of special directions and special and general permits by Office of Defense Transportation.
- 500.74 Issuance of special permits by rail carriers.
- 500.75 Exemptions.
- 500.76 Consignor's certificate.

Sec.

- 500.77 Stop-offs to complete loading or for partial unloading.
- 500.78 Consolidation of shipments in a single car.
- 500.79 Filing of tariffs; rates not to be increased.
- 500.80 Records and reports.
- 500.81 Communications.

AUTHORITY: §§ 500.70 to 500.81, inclusive, issued under E.O. 8989, 6 F.R. 6725.

§ 500.70 *Definitions.* As used in this order (§§ 500.70-500.81), or in any order, special direction, permit or regulation issued hereunder, the term:

(a) "Person" means any individual, partnership, corporation, association, joint stock company, business trust, or other organized group of persons, or any trustee, receiver, assignee, or personal representative, and includes any department or agency of the United States, any State, the District of Columbia, or any other political, governmental or legal entity;

(b) "Rail carrier" means any person engaged in the transportation of property as a common carrier by railroad;

(c) "Open freight car" means any railway car not roofed or permanently covered, other than a flat car, used by a rail carrier for the transportation of carload freight by rail;

(d) "Closed freight car" means any roofed or permanently covered railway freight car, other than a tank car, used by a rail carrier for the transportation of carload freight by rail, and includes any covered hopper car;

(e) "Freight car" or "car" means any open freight car or closed freight car as defined in paragraphs (c) and (d) of this § 500.70;

(f) "Carload freight" means property transported by a rail carrier in a freight car at a carload rate or rates, and includes property of a quantity less than the applicable tariff carload minimum weight upon which the charges at the carload rate and carload minimum weight applicable thereto are less than if rated at the published less-than-carload rate at actual weight;

(g) "Merchandise" means property transported by a rail carrier in a freight car at less-than-carload or any-quantity rates;

(h) "Bulk freight" means any carload freight consisting of any non-liquid, non-gaseous commodity shipped loose or in mass and which in the loading or unloading thereof is ordinarily shoveled, scooped, forked, or mechanically conveyed, or which is not in containers or in units of such size as to permit piece by piece loading or unloading;

(i) "Non-bulk freight" means any carload freight consisting of any commodity which is not included within the term "bulk freight";

(j) "Point of origin" means a point in the United States at which a rail carrier furnishes an empty car to be loaded with carload freight;

(k) "Public warehouse" means a warehouse, or other place of storage, the owner or operator of which is engaged as a public warehouseman in the business

of storing goods for the public for compensation, and who issues valid warehouse receipts for the goods which he holds in storage as a bailee for hire. A warehouse or other place of storage which is operated by rail carrier for the storage of goods in transit shall be considered to be a public warehouse. Property owned in whole or in part by a warehouseman in whose warehouse or other place of storage the property is stored, shall not be construed as being stored in a public warehouse;

(l) "Continental United States" means the 48 States and the District of Columbia.

§ 500.71 *Applicability.* The provisions of this order shall be applicable only to shipments of carload freight or mixed shipments of carload freight and merchandise which are offered for transportation at a point of origin in the continental United States.

§ 500.72 *Loading of carload freight.* Except as hereinafter provided no person shall offer for transportation, and no rail carrier shall accept for transportation at point of origin, or forward therefrom, any carload freight, unless such carload freight, when forwarded from point of origin, is loaded in a freight car in accordance with one of the following requirements:

(a) The quantity shall equal or exceed in weight the marked capacity, in pounds, as stenciled on such car, or as shown under the heading "Capacity" (not "Load Limit") in the Official Railway Equipment Register, Alternate Agent M. A. Zenobia's I. C. C. R. E. R. No. 268, or supplements thereto and reissues thereof; or

(b) Bulk freight in a closed freight car shall be loaded to an elevation not lower than 18 inches from the ceiling of the car measured at its side walls, or if the interior walls of such car are partially sheathed or lined, to the utmost elevation practicable without overrunning the sheathing or lining; or

(c) Non-bulk freight in a closed freight car, or bulk freight or non-bulk freight in an open freight car shall be loaded so as to occupy and utilize all of the practicable stowage space of such freight car.

(d) Nothing in this § 500.72 shall be construed as requiring (1) that a car shall be loaded to a weight in excess of 90 percent of the "Load Limit" of such car; or (2) that a car shall be loaded to such an extent or in such a manner as to create a transportation hazard, or to cause damage to the lading, or to cause injury to persons engaged in loading or unloading such car; or (3) that a car containing carload freight requiring refrigeration, heating, or ventilation in transit be loaded beyond the refrigerating, heating, or ventilating capacity of such car; or (4) the loading of any freight car in a manner inconsistent with efficient stowage practices.

§ 500.73 *Issuance of special directions and special and general permits by Office of Defense Transportation.* The provisions of this order shall be subject to any special direction with respect to

loading of carload freight consisting of commodities designated in such special direction, to be issued by the Director, Division of Traffic Movement, Office of Defense Transportation, to eliminate and avoid controversies and misunderstandings as to whether and under what circumstances loading will create a transportation hazard, cause damage to lading, cause injury to persons, or is beyond the refrigerating, heating, or ventilating capacity of a car or cars; and to any special or general permit issued by the Office of Defense Transportation to meet specific needs or exceptional circumstances or to prevent undue hardships. Application should be made to the Office of Defense Transportation for the issuance of a special permit in instances where, because of exceptional circumstances, it is considered that a commodity included in a special direction cannot be loaded to the extent specified in such special direction for such commodity without creating a transportation hazard, causing damage to the lading, or causing injury to persons, and in instances where a consignor desires to load merchandise in a car with carload freight. Each such application should contain the facts on which the applicant relies in support of such application.

§ 500.74 Issuance of special permits by rail carriers. The chief operating officer or division superintendent of the initial line-haul rail carrier, or the chief operating officer or division superintendent of the initial switching rail carrier, where no line-haul service is to be performed, may issue a special permit authorizing the acceptance and forwarding of carload freight which is not loaded in accordance with the loading requirements of this order, in a specific case where, in his judgment, because of the unusual character of the lading, undue car detention, or other unusual circumstances, he believes compliance with the loading requirements of this order would result in the inefficient use, or unduly retard the efficient use, of cars or locomotives, or, in a specific case, where, in his judgment, such permit is required for reasons of military necessity. Weekly reports of all special permits issued by the chief operating officer or division superintendent of each rail carrier shall be made to the Director, Division of Traffic Movement, Office of Defense Transportation, Washington, D. C., by the chief operating officer of each such rail carrier upon forms prescribed by the Office of Defense Transportation.

§ 500.75 Exemptions. The provisions of § 500.72 of this order and any special direction issued pursuant to the provisions of § 500.73 of this order shall not apply to:

(a) Carload freight shipped by or consigned to any establishment of the United States Army, Navy, Coast Guard, or Marine Corps; carload freight consisting principally of airplanes, armaments, munitions, military vehicles, including tanks, and processed parts thereof, and carload freight consisting of marine equipment consigned to the United States

Maritime Commission or to the War Shipping Administration;

(b) Carload freight loaded in a car, which car, because of construction or design, cannot be interchanged with other carriers under rules of the Association of American Railroads;

(c) Carload freight to be unloaded at points located on railroads in the Republic of Cuba;

(d) Carload freight consisting of livestock or other live animals or live poultry;

(e) Carload freight loaded by a rail carrier when such carload freight consists of such rail carrier's own material or equipment, and is to be transported only over its own lines;

(f) (1) Carload freight consisting of any commodity or commodities which have been allocated or limited by a regulation of an agency of the United States in such quantity as to preclude individual shipments of an amount sufficient to meet the loading requirements of this order or any special direction issued thereunder, or (2) to carload freight consisting of any commodity or commodities not so allocated or limited when loaded in the same car with a carload shipment of an allocated or limited commodity or commodities: *Provided, however,* That the consignor has first attempted in good faith to avail himself of the provisions of §§ 500.77 and 500.78 of this order;

(g) Carload freight consisting of explosives or other dangerous articles as defined, listed in, and transported under "Regulations for Transportation of Explosives and Other Dangerous Articles" adopted by the Interstate Commerce Commission by order of August 16, 1940, effective January 7, 1941, in Docket No. 3666, as amended, as published in Agent W. S. Topping's Freight Tariff No. 4, I. C. C. No. 4, supplements thereto and reissues thereof, or to any other freight loaded in a car with carload freight consisting of such explosives or other dangerous articles;

(h) Carload freight moving under and in accordance with "cleanout" or "remnant" rules or "concentration or gathering" rates and rules established in applicable freight tariffs;

(i) Carload freight which is transported over a route of movement authorized in a rail carrier's tariff to a point or points intermediate between origin and destination for the consolidation of shipments, or for stopping in transit to complete loading, when the car containing such carload freight is loaded in accordance with the requirements of this order or any special direction issued thereunder, during a part of the movement; or

(j) Non-bulk freight shipped from a public warehouse, which non-bulk freight has been stored in transit in such public warehouse under storage-in-transit privileges authorized in rail carriers' tariffs, or in quotations submitted to the Government pursuant to the provisions of section 22 of the Interstate Commerce Act, as amended, when such non-bulk freight is shipped in a quantity

not less than that contained in the car used in transporting the non-bulk freight to such public warehouse and against which the outbound shipment is matched: *Provided, however,* That such non-bulk freight did not move into such public warehouse under "concentration or gathering" rates and rules established in applicable freight tariffs.

§ 500.76 Consignor's certificate. There shall be endorsed on the shipping instructions issued with respect to any carload freight (other than carload freight which is loaded in compliance with the provisions of paragraph (a) of § 500.72 of this order, or any special direction issued by the Director, Division of Traffic Movement, Office of Defense Transportation, under the provisions of § 500.72 of this order, or which is covered by the provisions of paragraphs (a), (b), (c), (d), or (e) of § 500.75 of this order), a certificate, executed by the consignor, specifying compliance with the provisions of paragraphs (b), (c), or (d) of § 500.72 of this order, the exemption applicable to such carload freight, or the number of any special permit issued by the chief operating officer or division superintendent of a rail carrier, or the number of any special or general permit issued by the Office of Defense Transportation, authorizing the transportation of such carload freight in the manner offered for transportation. Where carload freight of more than one consignor is loaded in a single freight car at point of origin, the consignor completing the loading of the car shall execute the certificate. Any agent of a consignor other than a rail carrier may execute such certificate. The failure of a consignor or his agent to furnish a rail carrier a consignor's certificate covering a carload of freight subject to this order shall constitute a representation to the rail carrier that the car containing such carload freight has been loaded in compliance with the provisions of paragraph (a) of § 500.72 of this order, or in compliance with the provisions of a special direction issued by the Director, Division of Traffic Movement, Office of Defense Transportation, or that the carload freight is covered by an exemption contained in paragraphs (a), (b), (c), (d), or (e) of § 500.75 of this order. Nothing in this § 500.76 shall be construed as relieving a rail carrier from any of the provisions of § 500.72 of this order.

§ 500.77 Stop-offs to complete loading or for partial unloading. (a) Rail carriers, in connection with carload freight subject to this order, shall permit a single stop of any freight car in transit to complete loading or shall permit a stop for partial unloading (but not both), when the stop-off point is intermediate between point of origin and point of destination over the route of movement: *Provided,* That the provisions of this § 500.77 shall not be construed to require a rail carrier to permit such stops in connection with shipments of:

(1) Bulk freight;
(2) Carload freight consigned to order, or to order notify, or otherwise so

consigned as to require surrender of a bill of lading, written order, or any other document in advance of delivery;

(3) Carload freight moving without recourse on the consignor, or under instructions against its delivery without collection of freight and other lawful charges as provided in the uniform bill of lading;

(4) Carload freight loaded or unloaded at an intermediate prepay or non-agency station; or

(5) Carload freight consisting of watermelons or fresh peaches.

(b) Nothing in this § 500.77 shall be construed as limiting or restricting the number of stop-off privileges which are now, or which may be, authorized and provided for in rail carrier tariffs, or as affecting the charges to be assessed for stop-off privileges, or as requiring that more than one stop-off privilege be granted any freight car in transit between point of origin and final destination.

§ 500.78 *Consolidation of shipments in a single car.* (a) Any consignor, but not in excess of three consignors in the aggregate, shall be permitted to consolidate and ship in a single car from the same point of origin in the United States, two or more consignments of carload freight for line-haul movement to one or more, but not exceeding three, consignees, at one or more, but not exceeding three, destination points.

(b) Consolidation services provided for herein shall be afforded by each rail carrier, and, except as to the provisions of § 500.77 of this order, each such consignment of carload freight shall be considered and treated for the purposes of applying rates and charges and rendering transportation services as if it were shipped in a separate car: *Provided, however,* That nothing in this § 500.78 shall be construed to require the extension or rendering of such consolidation services in connection with shipments of:

(1) Carload freight of such a nature as to contaminate or damage other freight in the car;

(2) Carload freight loaded or unloaded at an intermediate prepay or non-agency station;

(3) Bulk freight;

(4) Carload freight consigned to order, or to order notify, or otherwise so consigned as to require surrender of a bill of lading, written order, or any other document in advance of delivery when such carload freight is to be unloaded at a destination intermediate to the final destination of the car;

(5) Carload freight having origin and destination in the same switching district; or

(6) Carload freight consisting of cement, in packages.

(c) No diversion or change of destination or reconsigning in transit shall be allowed with respect to consolidation services provided for herein, except where, under published rules, it may be in the same direction and over the same route as the initial shipment after previous shipments have been unloaded.

Movement to final destination shall not be considered a reconsignment.

(d) Nothing in this § 500.78, except paragraph (c), shall be construed as requiring the limiting or restricting of consolidation services which may be afforded by a rail carrier, or as affecting the charges to be assessed for such consolidation services.

§ 500.79 *Filing of tariffs; rates not to be increased.* Each rail carrier required by law to file tariffs of rates, charges, rules or regulations, shall file with the Interstate Commerce Commission in respect of transportation in interstate or foreign commerce, and with each appropriate State regulatory body in respect of transportation in intrastate commerce, and publish in accordance with law, and continue in effect only for the duration of the present emergency, unless otherwise ordered, tariffs or appropriate supplements to filed tariffs setting forth any changes in the rates and charges, rules, regulations, or practices of such rail carrier which may be necessary to accord with the provisions of this order, including a specific tariff rule or rules governing restowing or rebracing of carload freight remaining in a freight car at a destination intermediate to the final destination of a freight car when such carload freight is transported subject to consolidation privileges provided for in § 500.78 of this order, and such restowing or rebracing is necessary because of the removal of other carload freight from such freight car at such intermediate destination; and shall apply to said Commission and each such regulatory body for special permission for such tariffs or supplements to become effective on 15 days notice. A copy of this order shall be filed with said Commission and each such regulatory body. Nothing in this order shall be construed as requiring or sanctioning the revision, amendment, change, or alteration of established carload minima, or as requiring or approving increases in transportation rates or charges.

§ 500.80 *Records and reports.* The recording and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Specific recording or reporting requirements subsequently prescribed in connection with this order will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

§ 500.81 *Communications.* Communications concerning this order should refer to "General Order ODT 18A" and, unless otherwise directed, should be addressed to the Division of Traffic Movement, Office of Defense Transportation, Washington, D. C.

This General Order ODT 18A, except § 500.79 hereof, shall become effective November 1, 1943. § 500.79 shall become effective upon the date of issuance of this order.

General Order ODT 18, Revised, as amended (7 F.R. 8337, 10083; 8 F.R. 5682), Special Direction ODT 18, Revised-2

(7 F.R. 8339), Special Direction ODT 18, Revised-4 (7 F.R. 9348), and Special Direction ODT 18, Revised-5, as amended (8 F.R. 186, 9387), are hereby revoked effective November 1, 1943.

Issued at Washington, D. C., this 23d day of October 1943.

JOSEPH B. EASTMAN,
Director, Office of Defense
Transportation.

[F. R. Doc. 43-17257; Filed, October 25, 1943;
11:02 a. m.]

[General Permit ODT 18A-1]

PART 520—CONSERVATION OF RAIL EQUIPMENT—EXCEPTIONS, PERMITS, AND SPECIAL DIRECTIONS

CARLOAD FREIGHT TRAFFIC

Pursuant to the provisions of § 500.73 of General Order ODT 18A (this issue), it is hereby authorized that:

§ 520.493 *Loading of certain carload freight.* Any person may offer for transportation, and any rail carrier may accept for transportation at point of origin, or forward therefrom, carload freight consisting of any of the commodities included in items hereinafter shown, when such carload freight is loaded in a freight car either in accordance with the provisions of this General Permit ODT 18A-1 or in accordance with the provisions of § 500.72 of General Order ODT 18A:

5. *Bags, textile.* All fibre bags, such as burlap, gunny, jute (istle), sisal, old or new, lined or not lined, in machine compressed bales, may be loaded to a weight not less than 45,000 pounds.

10. *Carbon dioxide, solid (dry ice).* When loaded at point of production, may be loaded to a weight which equals or exceeds the applicable tariff carload minimum weight.

15. *Cement.* In bags, when loaded in cars of 100,000 pounds capacity or greater, may be loaded to a weight not less than 95,000 pounds.

20. *Coal.* In closed freight cars, may be loaded to a weight not less than 70 percent of the marked capacity of cars of 100,000 pounds capacity or more, and to a weight not less than 80 percent of the marked capacity of cars of less than 100,000 pounds capacity.

25. *Cotton.*

30. (a) In uncompressed bales, may be loaded to a weight not less than 35,000 pounds;

35. (b) In compressed bales, standard density, may be loaded to a weight not less than 62,500 pounds;

40. (c) In compressed bales, high density, may be loaded to a weight not less than 87,500 pounds;

45. *Cylinders, gas.* In empty return movement, may be loaded to a weight not less than 36,000 pounds.

50. *Egg case material.* Wooden; when shipments consist of complete cases, knocked down: type A cars (see Note 1, Item 55) may be loaded with not less than 6,500 cases, type B cars (see Note 1, Item 55) may be loaded with not less than 7,500 cases, and type C cars (see Note 1, Item 55) may be loaded with not less than 10,000 cases; but when shipments consist of ends and centers only, or of sides, tops, and bottoms only: type A cars may be loaded with not less than 13,000 sets, type B cars may be loaded with not less than 14,000 sets, and

type C cars may be loaded with not less than 20,000 sets.

55. *Note 1.* Type A cars means cars 39 feet 6 inches or less in length; type B cars means cars over 39 feet 6 inches but not over 46 feet 6 inches in length; and type C cars means cars over 46 feet 6 inches in length.

60. *Freight, carload, other than perishable.* Straight or mixed carloads, when loaded in a single refrigerator car, the furnishing and transporting of which has been authorized by the Interstate Commerce Commission in Service Order No. 104, as amended or in effect at time of shipment, shall be exempt from the loading requirements of General Order ODT 18A or any special direction issued thereunder.

This General Permit ODT 18A-1 shall become effective November 1, 1943.

(E.O. 8989, 6 F.R. 6725; Gen. Order ODT 18A, this issue)

Issued at Washington, D. C., this 23d day of October 1943.

C. D. YOUNG,
Deputy Director,

Office of Defense Transportation.

[F. R. Doc. 43-17256; Filed, October 25, 1943;
11:02 a. m.]

[Special Direction ODT 18A-1]

PART 520—CONSERVATION OF RAIL EQUIPMENT—EXCEPTIONS, PERMITS, AND SPECIAL DIRECTIONS

CARLOAD FREIGHT TRAFFIC

Pursuant to the provisions of § 500.73 of General Order ODT 18A (this issue), it is hereby ordered that:

§ 520.490 *Loading of certain non-perishable carload freight.* Notwithstanding the provisions of § 500.72 of General Order ODT 18A, any person may offer for transportation, and any rail carrier may accept for transportation at point of origin, or forward therefrom, carload freight consisting of any of the commodities included in items herein-after shown when such commodities have been loaded in a freight car either to the extent hereinafter shown or in conformity with the provisions of paragraphs (a), (b), or (c) of § 500.72 of General Order ODT 18A. Except as otherwise shown the loading requirements named herein apply to straight carload shipments:

5. *Baking powder.* In packages, shall be loaded to a weight not less than 60,000 pounds.

10. *Bolts, nuts, rivets, screws, and washers.* In packages, in closed freight cars, shall be loaded to a weight not less than 60,000 pounds.

15. *Building board, ceiling board, and wall-board.* Manufactured from fibre or wood-pulp, in closed freight cars, straight or mixed carloads, shall be loaded to an elevation not lower than 24 inches from the ceiling of the car measured at its side walls.

20. *Chemicals.* (Items 20 to 180, inclusive.)

25. *Alkalies and alkali products.* Including but not limited to, bleaching powder; calcium chloride, other than liquid; caustic soda, dry; lye, concentrated; lye-based cleaning compounds; modified soda ash; sal soda; sesquicarbonate of soda; silicate of soda, dry; soda ash; soda bicarbonate; and sodium-based

cleaning compounds; in packages; mixed car-loads; shall be loaded to a weight not less than 60,000 pounds.

30. *Ammonium bicarbonate.* In barrels less than 500 pounds gross weight each, shall be loaded on end, two tiers high, covering the entire floor space of the car.

35. *Ammonium chloride.*

40. (a) In bags, paper, shall be loaded to a weight not less than 80,000 pounds;

45. (b) In bags, textiles, shall be loaded three tiers high, covering the entire floor space of the car;

50. (c) In barrels, less than 500 pounds gross weight each, shall be loaded on end, two tiers high, covering the entire floor space of the car.

55. *Bleaching powder and caustic soda, dry.*

60. (a) In barrels, casks, or drums, less than 500 pounds gross weight each, shall be loaded on end, two tiers high, covering the entire floor space of the car;

65. (b) In barrels, casks, or drums, 500 pounds or more gross weight each, shall be loaded on end, one tier high, covering the entire floor space of the car.

70. *Calcium chloride, other than liquid.*

75. (a) In bags, shall be loaded to a weight not less than 80,000 pounds;

80. (b) In barrels, casks, or drums, 500 pounds or more gross weight each, shall be loaded on end, one tier high, covering the entire floor space of the car.

85. *Dimethylol urea.* In bags, shall be loaded to a weight not less than 40,000 pounds.

90. *Hartsalz, kainit, manure salts, double manure salts, muriate (potassium chloride), nitrate (saltpetre), sulphate, and sylvinit.* In packages, shall be loaded to a weight not less than 80,000 pounds.

95. *Lye, concentrated, and lye-based cleaning compounds.* In packages, shall be loaded to a weight not less than 50,000 pounds.

100. *Modified soda ash.* In packages (other than in bags, barrels, casks or drums as covered by items 150, 155 and 160), shall be loaded to a weight not less than 60,000 pounds.

105. *Paradichlorobenzene.* In barrels, less than 500 pounds gross weight each, shall be loaded on end, two tiers high, covering the entire floor space of the car.

110. *Potassium carbonate.*

115. (a) In barrels, less than 500 pounds gross weight each, shall be loaded on end, two tiers high, covering the entire floor space of the car;

120. (b) In barrels, casks, or drums, 500 pounds or more gross weight each, shall be loaded on end, one tier high, covering the entire floor space of the car.

125. *Sal soda.* In packages, shall be loaded to a weight not less than 55,000 pounds.

130. *Silicate of soda, dry.*

135. (a) In barrels, less than 500 pounds gross weight each, shall be loaded on end, two tiers high, covering the entire floor space of the car;

140. (b) In bags, shall be loaded four tiers high, covering the entire floor space of the car.

145. *Soda ash.* Including modified soda ash and cleaning compounds based upon soda ash, and sesquicarbonate of soda;

150. (a) In bags, shall be loaded to a weight not less than 80,000 pounds;

155. (b) In barrels, less than 500 pounds gross weight each, shall be loaded on end, two tiers high, covering the entire floor space of the car;

160. (c) In barrels, casks, or drums, 500 pounds or more gross weight each, shall be loaded on end, one tier high, covering the entire floor space of the car.

165. *Soda, bicarbonate.* In packages, shall be loaded to a weight not less than 45,000 pounds.

170. *Chemicals, not otherwise named herein.*

175. (a) In barrels, casks, or drums, 500 pounds or more gross weight each, shall be loaded on end, one tier high, covering the entire floor space of the car;

180. (b) In boxed carboys, shall be loaded not less than three tiers high, the first tier to be loaded four carboys across the width of the car floor the entire length of the car, the second tier to be loaded three carboys across the width of the car the entire length of the car, and the third tier to be loaded two carboys across the width of the car the entire length of the car, subject to Interstate Commerce Commission regulations on specific commodities.

185. *Chinaware, earthenware, stoneware, and pottery.* Shall be loaded to a weight not less than 35,000 pounds.

190. *Clay products.* (Items 190 to 285, inclusive)

195. *Blocks.*

200. (a) Building and filter bed, solid, hollow, or perforated, shall be loaded to a weight not less than 70,000 pounds;

205. (b) Lead or zinc glazed, salt glazed, segment, and silo, shall be loaded to a weight not less than 65,000 pounds.

210. *Brick, hollow building tile, and drain tile.*

215. (a) Brick, lead or zinc glazed, and salt glazed, shall be loaded to a weight not less than 65,000 pounds;

220. (b) Building brick or hollow building tile, plain, and drain tile, six inches and under in diameter, mixed carloads, shall be loaded to a weight not less than 60,000 pounds: Provided, That the weight of the drain tile equals or exceeds 25 per cent of the weight of the shipment;

225. (c) Building brick or hollow building tile, plain, and drain tile, over six inches in diameter, mixed carloads, shall be loaded to a weight not less than 50,000 pounds: Provided, That the weight of the drain tile equals or exceeds 25 per cent of the weight of the shipment;

230. (d) Common brick or building brick and hollow building tile, plain, mixed carloads, shall be loaded to a weight not less than 75,000 pounds.

235. *Conduits and conduit connections or fittings.*

240. (a) Conduits, clay, both single and multiple cell, without bell ends, not lined, octagonal, square or oblong in shape, shall be loaded to a weight not less than 70,000 pounds;

245. (b) Conduits or conduit connections or fittings, clay, single cell, with or without bell ends, not lined, cylindrical in shape, shall be loaded to a weight not less than 35,000 pounds.

250. *Drain tile.*

255. (a) Six inches and under in diameter, shall be loaded to a weight not less than 40,000 pounds.

260. (b) Over six inches in diameter, shall be loaded to a weight not less than 35,000 pounds.

265. *Slabs.* Clay or shale, including silo slabs, not enameled, not roofing or ornamental, shall be loaded to a weight not less than 65,000 pounds.

270. *Tile.*

275. (a) Hollow building, plain and fire-proofing, shall be loaded to a weight not less than 70,000 pounds;

280. (b) Hollow building, lead or zinc glazed and salt glazed, shall be loaded to a weight not less than 65,000 pounds.

285. *Wall coping.* Clay, shall be loaded to a weight not less than 35,000 pounds.

290. *Containers.* (290 to 340, inclusive.)
295. *Bottles, jars, and packing glasses.*

300. (a) Bottles, jars, and packing glasses, glass, other than those manufactured from opal glass, in packages, shall be loaded to an elevation not less than seven feet from the floor of the car, covering the entire floor space of the car;

305. (b) Jars manufactured from opal glass, in packages, shall be loaded to a weight not less than 60,000 pounds;

310. (c) Bottles and jars, glass, loose, shall be loaded to an elevation not less than five feet from the floor of the car, and doorway loading may be limited to accommodate conditions of loading and unloading.

315. *Boxes, sputum cups, and trays.* Boxes, flat, folded flat, or knocked down flat, pulpboard, fibreboard, or strawboard, other than corrugated, in packages, or loose; and sputum cups and trays, flat or folded flat, pulpboard, in packages; straight or mixed carloads, shall be loaded to an elevation not less than six feet from the floor of the car, covering the entire floor space of the car.

320. *Cans.* Metal, loose, other than as described in Rule 40, section 5, Paragraphs (a), (b), (c), and (d), Consolidated Freight Classification No. 15, A. H. Greenley's I. C. C. No. 59, E. H. Dulaney's I. C. C. No. 88, W. S. Mercer's I. C. C. No. 529, and R. C. Fyfe's I. C. C. No. 28, supplements thereto and reissues thereof, shall be loaded to an elevation not less than eight feet from the floor of the car, being loaded in each end up to the doorway, and held in place by bulkheads, the space between the bulkheads to be utilized for stowing the ends and covers of the cans.

325. *Egg case cup flats and egg case fillers.* Straight or mixed carloads, or with wooden egg cases;

330. (a) Egg case cup flats, straight carloads, shall be loaded so as to occupy all of the practical stowage space of the car;

335. (b) Egg case fillers, straight carloads, shall be loaded seven tiers high, covering the entire floor space of the car;

340. (c) When egg case fillers are loaded in the same car with egg case cup flats and/or with wooden egg cases, the fillers must be loaded seven tiers high for that part of the floor space of the car occupied by the fillers, and the balance of the floor space of the car must be loaded with egg case cup flats and/or wooden egg cases as high as stowage space will permit, but when the fillers are loaded on top of egg case cup flats or wooden egg cases, all of the practical stowage space of the car must be utilized.

345. *Drugs, medicines, and toilet preparations.* As named in lists contained in applicable freight tariffs, including chemicals named in such lists, in packages, mixed carloads, shall be loaded to a weight not less than 50,000 pounds.

350. *Fertilizers, manufactured.* Cyanamid; fertilizing compounds (manufactured fertilizers), not otherwise named herein, dry; ground phosphate rock; sodium nitrate, sulphate of ammonia; superphosphate; and urea; in bags; straight or mixed carloads; shall be loaded to a weight not less than 60,000 pounds.

355. *Floor covering and linoleum.*

360. (a) Carpeting, felt base, asphalted, plain or decorated, and wood fibre base, impregnated and decorated, shall be loaded to a weight not less than 45,000 pounds;

365. (b) Linoleum, straight carloads, or with caulking compounds, floor wax, lacquer, linoleum cement, paper or paper felt carpet lining, steel linoleum rollers, or varnish, shall be loaded to a weight not less than 80,000 pounds;

370. (c) Mats or rugs, felt base, asphalted, plain or decorated, and wood fibre base impregnated and decorated, shall be loaded to a weight not less than 40,000 pounds;

375. (d) Articles included in Item 360 and Item 370, mixed carloads, shall be loaded to a weight not less than 45,000 pounds;

380. (e) Articles included in Item 365 and Item 370, mixed carloads, shall be loaded to a weight not less than 50,000 pounds: *Provided*, That if the weight of articles included in Item 365 is 40,000 pounds or more, the car shall be loaded to a weight not less than 60,000 pounds;

385. (f) Articles included in Item 360 and Item 370 in mixed carloads with articles included in Item 365, or articles included in Item 360 in mixed carloads with articles included in Item 365, shall be loaded to a weight not less than 50,000 pounds: *Provided*, That if the weight of the articles included in Item 365 is 40,000 pounds or more, the car shall be loaded to a weight not less than 62,500 pounds.

390. *Foodstuffs, canned.* Shall be loaded to a weight not less than 65,000 pounds.

395. *Foundry supplies.* (395 to 450, inclusive.)

400. *Core compound, ground coal, and ground pitch.*

405. (a) In bags, burlap, paper-lined, shall be loaded to a weight not less than 70,000 pounds;

410. (b) In bags, paper, multiwall, shall be loaded to a weight not less than 60,000 pounds.

415. *Foundry facings.*

420. (a) In bags, paper, multiwall, shall be loaded to a weight not less than 50,000 pounds;

425. (b) In barrels, 500 pounds or more gross weight each, shall be loaded on end, one tier high, covering the entire floor space of the car.

430. *Hot top compound.* In bags, shall be loaded to a weight not less than 80,000 pounds.

435. *Core compound, foundry facings, ground coal, ground pitch, and hot top compound.* Mixed carloads, containing not more than 25 per cent hot top compound;

440. (a) In bags, burlap, paper-lined, shall be loaded to a weight not less than 70,000 pounds;

445. (b) In bags, paper, multiwall, shall be loaded to a weight not less than 60,000 pounds;

450. (c) In bags, burlap, paper-lined, and paper, multiwall; or in bags, burlap, paper-lined, and paper, multiwall, and in barrels, shall be loaded to a weight not less than 60,000 pounds: *Provided*, That the weight of the articles packed in bags, burlap, paper-lined, does not exceed 25 per cent of the weight of the shipment.

455. *Fruit, dried.*

460. (a) In bags, shall be loaded to an elevation not less than four feet from the floor of the car;

465. (b) In boxes, shall be loaded to a weight not less than 70,000 pounds.

470. *Glass.*

475. (a) Flat, laminated, plate, and window, shall be loaded to a weight not less than 70,000 pounds;

480. (b) Polished, wired, and rough rolled, wired, shall be loaded to a weight not less than 60,000 pounds.

485. *Glassware.* Cut and other than cut, including tumblers, other than cut, straight or mixed carloads;

490. (a) When loaded in cars less than 50 feet in length shall be loaded to a weight not less than 36,000 pounds.

495. (b) When loaded in cars 50 feet or more in length shall be loaded to a weight not less than 45,000 pounds.

500. *Glue, animal, dried.* In bags, shall be loaded to a weight not less than 50,000 pounds.

505. *Grain.* (Items 505 to 525, inclusive.)

510. *Corn or maize, flaxseed, oats, rice, sorghum grains, soybeans, unground screenings, and other grains.*

515. (a) Corn or maize (not pop corn), in the ear, shucked or not shucked; oats; sorghum grains, in the heads and unthreshed; and unground screenings; straight or mixed car loads; shall be loaded to a weight not less than 80 per cent of the weight required by § 500.72 (a) of General Order ODT 18A, or to an elevation not lower than 24 inches from the ceiling of the car measured at its side walls;

520. (b) Corn or maize, shelled; flaxseed; sorghum grains, threshed; soybeans; and other grains not otherwise named in Item 515 or Item 525; straight or mixed carloads; shall be loaded to an elevation not lower than 24 inches from the ceiling of the car measured at its side walls, or up to the marked grain line of a car so marked;

525. (c) Rice, other than in packages containing less than 100 pounds each, shall be loaded to a weight not less than 80,000 pounds.

530. *Grain products.* (Items 530 to 545, inclusive)

535. *Cereal food preparations; feed, animal or poultry; grain by-products; grain products; malt; meal; rice, in packages containing less than 100 pounds each; and vegetable oil.* In packages; straight or mixed carloads; or in mixed carloads with seeds, in packages, and/or vegetable oil cake; shall be loaded to a weight not less than 60,000 pounds.

540. *Cereal food preparations; feed, animal or poultry; grain by-products; grain products; malt; meal; vegetable oil; and vegetable oil cake.* In bulk; straight or mixed carloads; shall be loaded to an elevation not lower than 24 inches from the ceiling of the car measured at its side walls.

545. *Grain and grain products.* Articles included in Item 535 in mixed carloads with grain, in packages, shall be loaded to a weight not less than 60,000 pounds: *Provided*, That the weight of the articles included in Item 535 is not less than 40,000 pounds.

550. *Gypsum products.* (Items 550 to 570, inclusive)

555. *Block and tile.* Straight carloads, shall be loaded to a weight not less than 60,000 pounds;

560. *Plaster.* In packages, straight carloads, shall be loaded to a weight not less than 60,000 pounds;

565. *Plasterboard.* Including gypsum lath, gypsum sheathing, and gypsum wallboard, straight carloads, shall be loaded to a weight not less than 60,000 pounds;

570. *Mixed carloads of any of the articles in Items 555, 560, and 565.* shall be loaded to a weight not less than 60,000 pounds.

575. *Hides, green salted.* (Items 575 to 590, inclusive)

580. *Calf and kip skins.* Shall be loaded to a weight not less than 50,000 pounds;

585. *Cattle hides.* Shall be loaded to an elevation not lower than 30 inches from the ceiling of the car measured at its side walls;

590. *Shearlings and wool skins.* Shall be loaded to an elevation not lower than 36 inches from the ceiling of the car measured at its side walls.

595. *Lead, blue, red, and white; litharge; oil, flattening and lead mixing; and pigments, dry lead and white.* (Items 595 to 620, inclusive)

600. *Lead, blue, red, and white.* Ground in oil, straight or mixed carloads, or in mixed carloads with oil, flattening and lead mixing, and/or pigments, dry lead, in containers, shall be loaded to a weight not less than 60,000 pounds;

605. *Lead, red; litharge; and pigments, white.* See Note 1, Item 620, straight or mixed carloads;

610. (a) In bags, shall be loaded to a weight not less than 70,000 pounds;

615. (b) In barrels or drums, 500 pounds or more gross weight each, shall be loaded on end, one tier high, covering the entire floor space of the car.

620. *Note 1.* Pigments, white, include: Aluminum hydrate or hydroxide; antimony oxide; barium, sulphate of (ground barytes); barium, sulphate of, precipitated (blanc fixe); calcium sulphate; lead of zinc compounds, dry; lead silicate; lithopone; sublimed lead, dry; titanium composite pigments; titanium dioxide; titanium pigments; white lead, dry; whiting; zinc lead, white, dry; zinc oxide; zinc sulphate; zinc sulphide; zinc sulphide composite pigments; zinc sulphide pigments.

625. *Lime.*

630. (a) In packages, shall be loaded to a weight not less than 60,000 pounds;

635. (b) In bulk, in closed freight cars, shall be loaded to a weight not less than 80,000 pounds.

640. *Limestone.* Ground or pulverized, in packages, shall be loaded to a weight not less than 80,000 pounds.

645. *Liquids, pastes, and semi-liquids.* Straight or mixed carloads, in wooden barrels or metal drums of not less than 40 gallons capacity each, shall be loaded on end, one tier high, covering the entire floor space of the car.

650. *Milk powder.* In bulk in barrels, less than 500 pounds gross weight each, shall be loaded on end, two tiers high, covering the entire floor space of the car.

655. *Naval stores.* (Items 655 to 700, inclusive)

660. *Ester gum, pine pitch, pine tar, rosin, rosin batting dross, and rosin dross.*

665. (a) Pulverized, in bags, straight or mixed carloads, shall be loaded to a weight not less than 50,000 pounds;

670. (b) In barrels or drums, 500 pounds or more gross weight each, straight or mixed carloads, shall be loaded on end, one tier high, covering the entire floor space of the car;

675. (c) In bags, barrels, or drums, mixed carloads, shall be loaded to a weight not less than 50,000 pounds: *Provided*, That at least 25 per cent of the weight of the shipment is packed in bags.

680. *Pinene; pine oil; pine tar oil; pyrolygenous acid; rosin liquor; rosin oil; rosin paste; rosin pitch; rosin sizing, liquid; turpentine; and wood oil, crude.*

685. (a) In bottles or cans packed in boxes, or in barrels or drums, mixed carloads shall be loaded to a weight not less than 40,000 pounds: *Provided*, That at least 25 per cent of the weight of the shipment is packed in bottles or cans in boxes;

690. (b) In barrels or drums, 500 pounds or more gross weight each, straight or mixed carloads, shall be loaded on end, one tier high, covering the entire floor space of the car.

695. *Ester gum; pinene; pine oil; pine pitch; pine tar; pine tar oil; pyrolygenous acid; rosin batting dross; rosin dross; rosin liquor; rosin oil; rosin paste; rosin pitch; rosin sizing, liquid; turpentine; and wood oil, crude.* In bags, in barrels, or drums, or in bottles or cans packed in boxes, mixed carloads, shall be loaded to a weight not less than 50,000 pounds: *Provided*, That at least 25 per cent of the weight of the shipment is packed in bags, or in bottles or cans in boxes.

700. *Rosin size, dry.* In bags, shall be loaded eight tiers high, covering the entire floor space of the car.

705. *Nuts.* (Items 705 to 725, inclusive)

710. *Almonds.* Shelled or unshelled, in packages, shall be loaded to a weight not less than 60,000 pounds.

715. *Peanuts.*

720. (a) Shelled, in bags, shall be loaded to a weight not less than 50,000 pounds;

725. (b) Unshelled, in bags, shall be loaded to a weight not less than 40,000 pounds.

730. *Paper; groundwood, newsprint, and rotogravure; fibre content consisting of not less than 60 per cent groundwood.*

735. (a) In rolls, 60 inches or more in width, shall be loaded on ends, except paper, rotogravure, in rolls, 68 inches or more in width, see Items 765, 770, and 775, with not less than a quantity which occupies the maximum floor space of the car, subject to Note 1, Item 760;

740. (b) In rolls, 45 inches to but not including 60 inches in width, shall be loaded not less than one tier high, on ends, occupying the maximum floor space of the car, plus a second tier loaded on sides or on ends, either single or double abreast, subject to Note 1, Item 760;

745. (c) In rolls, 28 inches to but not including 45 inches in width, shall be loaded not less than two tiers high, on ends, each tier occupying the maximum floor space of the car, subject to Note 1, Item 760;

750. (d) In rolls, less than 28 inches in width, shall be loaded to a minimum height of 60 inches, covering the maximum floor space of the car, subject to Note 1, Item 760;

755. (e) In rolls, mixed widths, shall be loaded with a quantity equaling or exceeding the marked capacity of the car, or to an average minimum height of 60 inches throughout the entire floor space of the car, subject to Note 1, Item 760.

760. *Note 1.* Doorway loading may be limited to accommodate conditions of loading and unloading.

765. *Paper, rotogravure.* In rolls, 68 inches or more in width:

770. (a) On ends, shall be loaded with not less than a quantity which occupies the maximum floor space of the car;

775. (b) On sides, shall be loaded with not less than a quantity which occupies the maximum floor space of the car to a minimum height of 60 inches, subject to Note 1, Item 760.

780. *Paper, included in list No. 1, Item 785.* In rolls, on ends or on sides, shall be loaded to a height not less than 80 inches, covering the maximum floor space of the car, subject to Note 1, Item 760.

785. *List No. 1.* *Paper, viz., crepe, tissue (other than wrapping), toilet, and toweling.*

790. *Paper and pulpboard, included in List No. 2, Item 805.*

795. (a) In rolls, on ends, shall be loaded with not less than two rolls across the width of the car in a straight line, to a height not less than 60 inches throughout the entire length of the car, subject to Note 1, Item 760, and, when loaded two or more tiers high, the top tier may be loaded on ends or on sides as may be practicable;

800. (b) In rolls, on sides, shall be loaded not less than two tiers high, and also not less than 60 inches in height, throughout the entire length of the car, subject to Note 1, Item 760.

805. *List No. 2.* *Paper, viz., bag; blotting; cigarette, uncut; cloth lined, gummed; enameled; glazed, gummed; lining; manila; printing; surface coated; vegetable parchment; wall, blank unfinished (fibre content consisting of less than 60 per cent groundwood); window shade; wrapping; and writing; and*

Pulpwood (including fibreboard), viz., binders board; boxboard; chipboard; fibreboard, made from woodpulp or rags; friction board; newsboard, paperboard; pulpboard; paper stock board; strawboard; tag board, paper; and woodpulp board.

810. *Paper, pulpboard, and paper and/or pulpboard articles, included in List No. 3, Item 825.*

815. (a) On skids, shall be loaded with not less skids than the number which occupies

the maximum floor space of the car, subject to Note 1, Item 760;

820. (b) In boxes, bundles, cartons, cases, or loose, with a quantity equaling or exceeding the marked capacity of the car, or so as to occupy and utilize all of the practicable stowage space of the car.

825. *List No. 3. Paper, viz., autographic register; bag; blotting; box lining; braided; carbonized print; cash register; cigarette, uncut; cloth lined, gummed; cover; computing machine; crepe; crinkled lining; document; drawing; enameled; envelope lining; fibre stock (paper for making chemically hardened fibre); filter; forms, ruled or not ruled, not printed, cut to size for immediate use; glazed; gummed; groundwood paper (fibre content consisting of not less than 60 per cent groundwood); lining; manila document; manila; matrix; newsprint paper (fibre content consisting of not less than 60 per cent groundwood); packing (chemically treated paper such as used for manufacturing washers, gaskets, or packing shapes); printing; rotogravure paper (fibre content consisting of not less than 60 per cent groundwood); second sheets; shelf decorating; stencil, duplicating machine; stereotype; suit case lining; surface coated; tissue; toilet; toweling; towels; trunk cover lining; twisted; vegetable parchment; wall; wall, blank, unfinished; window shade; wrapping; wrapping tissue; wrappers; and writing; and*

Pulpboard (including fibreboard), viz., binders board; bristol board; boxboard; card board, plain or coated; chipboard; coaster board; fibreboard; friction board; newsboard; oil board; paperboard; paper stock board; press board; pulpboard; strawboard; tag board, paper; tar board; trunk board; and woodpulp board; and

Paper and/or pulpboard articles, viz., bags; bagging; binders, book or loose leaf, paper or pulpboard; books, blank; boxes (fibreboard, paper or pulpboard; setup; with or without metal tops or bottoms); boxes (flat, folded flat or knocked down flat) pulpboard, fibreboard or strawboard, corrugated; bottles (fibreboard, paper or pulpboard; setup; with or without metal tops or bottoms); cans (fibreboard, paper or pulpboard; setup; with or without metal tops or bottoms); caps, nested; caps, milk bottle, pulpboard; cards, index, plain; cellulose wadding; coasters, pulpboard; collar bands, laundry, pulpboard; collar or shirt envelopes or wrappers, paper or pulpboard; collar supports, laundry, paper or pulpboard; covers, nested; covers, book or loose leaf, paper or pulpboard; cores; cups, nested; discs, nested; dishes, nested; dollies; drums (fibreboard, paper or pulpboard; setup; with or without metal tops or bottoms); envelopes; facial cleansing tissues; file folders, paper or pulpboard; fillers or partitions, for packing (other than egg case or egg carrier fillers), made of chipboard, fibreboard, paper, pulpboard or strawboard; fly paper; forks; handkerchiefs; labels, paper, plain; liners, pulpboard; liners, freight car, paper; linings, ice cream can; lining, carpet (made exclusively of paper); loose leaf book fillers, ruled or plain, cut to size, ready for immediate use; napkins; neck strips; pails, nested; paperettes; plates, pulpboard or woodpulp, nested; sealing tape, gummed; school blanks or forms, loose leaves or in books or pads; shields, garment hanger, paper or pulpboard; shipping covers; shirt bands; shirt boards; spoons; supports, hat or hat crease, paperboard or pulpboard; table cloths; tablets; tops, nested; trays, nested; and tubes.

830. *Paper, pulpboard, and paper and/or pulpboard articles, included in list No. 3, Item 825: straight carloads of one article in different types of packaging, bundles, cartons, cases, packages, rolls, or on skids, shall be loaded with a quantity equaling or exceeding the marked capacity of the car, or so as to occupy and utilize all of the practicable stowage space of the car: Provided, That, when a car contains 85 per cent or more by*

weight of one type of packaging, the loading requirements for the article in that type of packaging, in straight carloads, shall be applicable, subject to Note 1, Item 760.

835. *Paper, pulpboard, and paper and/or pulpboard articles, included in List No. 3, Item 825, and in List No. 4, Item 840. In bundles, cartons, cases, packages, rolls, or on skids, in club, mixed, or pool carloads, shall be loaded to a weight not less than 55,000 pounds, or so as to occupy and utilize all of the practicable stowage space of the car: Provided, That, when a car contains 85 per cent or more by weight of one article, the loading requirements for that article, in straight carloads, shall be applicable, subject to Note 1, Item 760.*

840. *List No. 4. Paper and/or pulpboard articles, viz., excelsior, paper; boxes, fibreboard, pulpboard or strawboard, with or without wooden frames (paper boxes), corrugated or other than corrugated, knocked down flat or folded flat; trays, flat or folded flat; spum cups, flat or folded flat; and paper goods not shown in List No. 3, Item 825.*

845. *Roofing materials. Composition and prepared, including asbestos and asphalt shingles, straight or mixed carloads, shall be loaded to a weight not less than 60,000 pounds.*

850. *Salt. In packages, shall be loaded to a weight not less than 60,000 pounds.*

855. *Seeds.*

860. *Alfalfa; cane; clover; cotton; garden, vegetable and flower; grass; hemp; lespedeza; millet; rape; sweet clover; and timothy seeds. Straight or mixed carloads, shall be loaded to a weight not less than 40,000 pounds.*

865. *Seeds, other than named in Item 860. Straight or mixed carloads, shall be loaded to a weight not less than 60,000 pounds.*

870. *Sewer pipe. Other than metal, 5 inches to 24 inches in diameter, shall be loaded to a weight not less than 30,000 pounds.*

875. *Tobacco. In hogsheads, when origin or destination station is not provided with mechanical equipment for double decking, shall be loaded each hogshead placed upright, one tier high, covering the entire floor space of the car.*

880. *Vegetables, dried.*

885. *Barley, pearl; beans, lentils, and peas, dried. In packages, straight or mixed carloads, shall be loaded to a weight not less than 80,000 pounds.*

This Special Direction ODT 18A-1 shall become effective November 1, 1943.

(E.O. 8989, 6 F.R. 6725; Gen. Order ODT 18A, this issue)

Issued at Washington, D. C., this 23d day of October, 1943.

HENRY F. McCARTHY,
Director,
Division of Traffic Movement.

[F. R. Doc. 43-17258; Filed, October 25, 1943;
11:02 a. m.]

[Special Direction ODT 18A-2]

PART 520—CONSERVATION OF RAIL EQUIPMENT—EXCEPTIONS, PERMITS, AND SPECIAL DIRECTIONS

CARLOAD FREIGHT TRAFFIC

Pursuant to the provisions of § 500.73 of General Order ODT 18A (this issue), it is hereby ordered that:

§ 520.491 *Loading of certain perishable carload freight. Notwithstanding the provisions of § 500.72 of General Order ODT 18A, any person may offer for transportation, and any rail carrier may accept for transportation at point of*

origin, or forward therefrom, carload freight consisting of any of the commodities included in items hereinafter shown when such commodities have been loaded in a freight car either to the extent hereinafter shown or in conformity with the provisions of paragraphs (a), (b), or (c) of § 500.72 of General Order ODT 18A. Except as otherwise shown the loading requirements named herein apply to straight carload shipments:

5. *Dairy products and related commodities. (Items 5 to 85, inclusive.)*

10. *Butter; cheese; eggs; lard; lard substitutes; oleomargarine; poultry, dressed; and vegetable oil shortening.*

15. *Butter and oleomargarine.*

20. (a) *Fresh, in bulk, in containers, fibreboard, or in tubs, shall be loaded to a weight not less than 45,000 pounds;*

25. (b) *Fresh, in prints, shall be loaded to a weight not less than 35,000 pounds;*

30. (c) *Fresh, in bulk, in containers, fibreboard, or in tubs; and in prints; mixed carloads, shall be loaded to a weight not less than 40,000 pounds.*

35. *Cheese. In bulk, or in any type of container, shall be loaded to a weight not less than 40,000 pounds.*

40. *Eggs, dried. In any type of container, shall be loaded to a weight not less than 40,000 pounds.*

45. *Eggs, shell. In containers, fibreboard or wooden, shall be loaded with not less than 600 containers.*

50. *Lard, lard substitutes, and vegetable oil shortening.*

55. (a) *Fresh, in bulk, in containers, fibreboard, or in tubs, shall be loaded to a weight not less than 45,000 pounds;*

60. (b) *Fresh, in prints, shall be loaded to a weight not less than 35,000 pounds;*

65. (c) *Fresh; in bulk, in containers, fibreboard, or in tubs; and in prints; mixed carloads, shall be loaded to a weight not less than 40,000 pounds.*

70. *Poultry, dressed. Fresh, chilled, shall be loaded to a weight not less than 33,000 pounds.*

75. *Eggs, shell; poultry, dressed; and other dairy products.*

80. (a) *Mixed carloads, shall be loaded to a weight not less than 30,000 pounds;*

85. (b) *When shipped from original point of production to a processing or packing plant, storage warehouse, creamery, or any other house, station, or platform, at which produce is assembled or consolidated for straight or mixed carload movement, located within 350 miles of original point of production, cars may be loaded to a weight which equals or exceeds the applicable tariff minimum weight.*

90. *Foodstuffs, cold pack or frozen. (Items 90 to 135, inclusive)*

95. *Berries, cold pack or frozen. In barrels, shall be loaded on end, two tiers high, covering the entire floor space of the car.*

100. *Butter and oleomargarine, frozen. In containers, fibreboard; in prints; in tubs; or in any other type of container; shall be loaded to a weight not less than 45,000 pounds.*

105. *Cherries, cold pack or frozen. In barrels, shall be loaded on end, two tiers high, covering the entire floor space of the car.*

110. *Eggs, frozen.*

115. (a) *Shipped during the period June 1 to September 30, inclusive, in any type of container, shall be loaded to a weight not less than 36,000 pounds;*

120. (b) *Shipped during the period October 1 to May 31, inclusive, in any type of container, shall be loaded to a weight not less than 50,000 pounds.*

125. *Lard, lard substitutes, and vegetable oil shortening, frozen. In containers, fibre-*

board; in prints; in tubs; or in any other type of container; shall be loaded to a weight not less than 45,000 pounds.

130. *Poultry, dressed, frozen. Shall be loaded to an elevation not lower than 18 inches from the ceiling of the car measured at its side walls.*

135. *Berries, fish and other sea food, fruits, juices, meat, and vegetables, frozen. Straight or mixed carloads, in any type of container, except berries and cherries in barrels, see Items 95 and 105, shall be loaded to an elevation not lower than 18 inches from the ceiling of the car measured at its side walls.*

140. *Fruits and vegetables, fresh. (Items 140 to 490, inclusive.)*

145. *Apples.*

150. (a) *In boxes, standard, shall be loaded to a weight not less than 39,900 pounds;*

155. (b) *In bulk; or loose, in baskets of one bushel or less capacity or in boxes, open-top, unlined; shall be loaded to a weight not less than 31,500 pounds.*

160. *Bananas. Shall be loaded to a weight not less than 23,000 pounds.*

165. *Beets, fresh harvested, new.*

170. (a) *In bulk; or in sacks, burlap or cloth; shall be loaded to a weight not less than 30,000 pounds;*

175. (b) *In half crates, shall be loaded with not less than 640 crates;*

180. (c) *In L. A. crates, in refrigerator cars equipped with stationary ice bunkers, shall be loaded with not less than 358 crates;*

185. (d) *In L. A. crates, in refrigerator cars equipped with collapsible ice bunkers, shall be loaded with not less than 427 crates.*

190. *Beets, storage. In bulk; in sacks, burlap, cloth, or paper; or in any other type of container; shall be loaded to a weight not less than 40,000 pounds.*

195. *Cabbage, fresh harvested, new.*

200. (a) *In bulk; or in sacks, burlap or cloth; shall be loaded to a weight not less than 30,000 pounds;*

205. (b) *In half crates, shall be loaded with not less than 638 crates;*

210. (c) *In L. A. crates, in refrigerator cars equipped with stationary ice bunkers, shall be loaded with not less than 316 crates;*

215. (d) *In L. A. crates, in refrigerator cars equipped with collapsible ice bunkers, shall be loaded with not less than 364 crates.*

220. *Carrots, storage. In bulk; in sacks, burlap, cloth, or paper; or in any other type of container; shall be loaded to a weight not less than 35,000 pounds.*

225. *Carrots, fresh harvested, new.*

230. (a) *In bulk; or sacks, burlap or cloth; shall be loaded to a weight not less than 30,000 pounds;*

235. (b) *In half crates, shall be loaded with not less than 640 crates;*

240. (c) *In L. A. crates, in refrigerator cars equipped with stationary ice bunkers, shall be loaded with not less than 358 crates;*

245. (d) *In L. A. crates, in refrigerator cars equipped with collapsible ice bunkers, shall be loaded with not less than 427 crates.*

250. *Carrots, storage. In bulk; or in sacks, burlap, cloth, or paper; or in any other type of container; shall be loaded to a weight not less than 40,000 pounds.*

255. *Citrus fruit.*

260. (a) *In boxes, standard, nailed, shall be loaded not less than three tiers high; two tiers, each box placed on end, and the top tier, each box placed bottom or side down; and each tier to cover the entire floor space of the car;*

265. (b) *In crates, Bruce, wire-bound, shall be loaded not less than five tiers high, each crate placed bottom or side down, and each tier to cover the entire floor space of the car.*

270. *Cranberries. In boxes, quarter-barrel, shall be loaded not less than six tiers high, each box placed bottom down, and each tier to cover the entire floor space of the car.*

275. *Grapes, juice varieties.* In any type of container, shall be loaded to a weight not less than 36,000 pounds.

280. *Grapes, table varieties.* In boxes, display or plain lugs, or baskets, shall be loaded to a weight not less than 34,000 pounds.

285. *Lettuce.*

290. (a) In L. A. crates, in refrigerator cars equipped with stationary ice bunkers, shall be loaded with not less than 316 crates;

295. (b) In L. A. crates, in refrigerator cars equipped with collapsible ice bunkers, shall be loaded with not less than 364 crates.

300. *Melons, including cantaloupes, casabana, honeyball, honeydew, persian, and watermelons.* Shall be loaded to a weight not less than 24,000 pounds.

305. *Onions.* In any type of container, shall be loaded to a weight not less than 40,000 pounds, subject to Note 1, Item 310.

310. Note 1. Applications for the issuance of special permits which will specify minimum loading requirements for early, immature onions and onion sets, during season of harvesting, may be made to the Division of Traffic Movement, Office of Defense Transportation, Washington, D. C.

315. *Peaches.*

320. (a) In baskets, bushel, shall be loaded not less than three tiers high, each tier to cover the entire floor space of the car;

325. (b) In baskets, half-bushel, shall be loaded not less than four tiers high, each tier to cover the entire floor space of the car;

330. (c) In boxes, standard 20-pound peach, divided load, shall be loaded to a weight not less than 28,000 pounds;

335. (d) In crates, standard peach, shall be loaded not less than four tiers high, each tier to cover the entire floor space of the car.

340. *Pears, Bartlett, fresh pack.*

345. (a) In baskets, bushel, or half-bushel, shall be loaded to a weight not less than 30,000 pounds;

350. (b) In boxes, standard, shall be loaded to a weight not less than 36,000 pounds.

355. *Pears, Kiefer or Sicle.* In any type of container, shall be loaded to a weight not less than 36,000 pounds.

360. *Pears, winter varieties.* In boxes, standard, shall be loaded to a weight not less than 37,800 pounds.

365. *Pineapples.* In crates, standard, shall be loaded not less than five tiers high, each tier to cover the entire floor space of the car.

370. *Potatoes, white, (Irish).*

375. (a) In bags, burlap or cloth; in boxes; or in sacks, paper; containing less than 100 pounds each; shall be loaded to a weight not less than 42,000 pounds, subject to Note 1, Item 390;

380. (b) In bags, burlap or cloth; in boxes; or in sacks, paper; containing 100 pounds or more each; shall be loaded to a weight not less than 45,000 pounds, subject to Note 1, Item 390;

385. (c) In bulk, shall be loaded to a weight not less than 40,000 pounds; subject to Note 1, Item 390.

390. Note 1. Applications for the issuance of special permits which will specify minimum loading requirements for early white, immature potatoes, during season of harvesting; also for certain types of seed potatoes, may be made to the Division of Traffic Movement, Office of Defense Transportation, Washington, D. C.

395. *Potatoes, White (Irish), and onions.* Mixed carloads:

400. (a) In bags, burlap or cloth; in boxes; or in sacks, paper; containing less than 100 pounds each; shall be loaded to a weight not less than 42,000 pounds;

405. (b) In bags, burlap or cloth; in boxes; or in sacks, paper; containing 100 pounds or more each; shall be loaded to a weight not less than 45,000 pounds.

410. *Root vegetables, fresh harvested, new.* Mixed carloads:

415. (a) In bulk; or in sacks, burlap or cloth; shall be loaded to a weight not less than 30,000 pounds;

420. (b) In half crates, shall be loaded with not fewer than 640 crates;

425. (c) In L. A. crates, in refrigerator cars equipped with stationary ice bunkers, shall be loaded with not less than 358 crates;

430. (d) In L. A. crates, in refrigerator cars equipped with collapsible ice bunkers, shall be loaded with not less than 427 crates.

435. *Root vegetables, storage.* Mixed carloads; in bulk; in sacks, burlap, cloth, or paper; or in any other type of container; shall be loaded to a weight not less than 40,000 pounds.

440. *Sweet potatoes, fresh harvested.* In any type of container, shall be loaded to a weight not less than 28,000 pounds.

445. *Sweet potatoes, kiln dried.* In any type of container, shall be loaded to a weight not less than 37,500 pounds.

450. *Tomatoes.*

455. (a) In boxes, standard lug, loaded solid throughout the full length and width of the car, shall be loaded not less than five complete tiers high;

460. (b) In boxes, standard lug, when the load is divided by center gates, shall be loaded not less than six complete tiers high in each half of the car, and the space for center gates shall be no greater than the width of two stacks of boxes, standard lug.

465. *Turnips, fresh harvested, new.*

470. (a) In bulk; or in sacks, burlap or cotton; shall be loaded to a weight not less than 30,000 pounds;

475. (b) In half crates, shall be loaded with not fewer than 640 crates;

480. (c) In L. A. crates, in refrigerator cars equipped with stationary ice bunkers, shall be loaded with not less than 358 crates;

485. (d) In L. A. crates, in refrigerator cars equipped with collapsible ice bunkers, shall be loaded with not less than 427 crates.

490. *Turnips, storage.* In bulk; in sacks, burlap, cloth or paper; or in any other type of container; shall be loaded to a weight not less than 40,000 pounds.

495. *Other perishables.* (Items 495 to 505, inclusive)

500. *Ice.* In bars or blocks, 150 pounds or more gross weight each, shall be loaded each bar or block placed upright on end, in one tier, covering the entire floor space of the car.

505. *Oysters.* Shall be loaded to a weight which equals or exceeds the applicable tariff carload minimum weight.

510. *Special loading requirements.* When the loading requirements for carload freight consisting of any commodity or commodities covered by this Special Direction ODT 18A-2 are shown by weight or by number of containers or crates in individual items named in this Special Direction ODT 18A-2, and such carload freight is transported in a refrigerator car the capacity of which is in excess of 2,300 cubic feet, the loading requirements for such carload freight transported in such refrigerator car shall be not less than 120 per cent of the weight, or not less than 120 per cent of the number of containers or crates, as the case may be, which is shown in such individual items.

This Special Direction ODT 18A-2 shall become effective November 1, 1943.

(E.O. 8989, 6 F.R. 6725; Gen. Order ODT 18A, this issue)

Issued at Washington, D. C., this 23d day of October 1943.

HENRY F. McCARTHY,
Director, Division of
Traffic Movement.

[F. R. Doc. 43-17259; Filed, October 25, 1943;
11:02 a. m.]

[Special Direction ODT 18A-3]

PART 520—CONSERVATION OF RAIL EQUIPMENT—EXCEPTIONS, PERMITS, AND SPECIAL DIRECTIONS

CARLOAD FREIGHT TRAFFIC

Pursuant to the provisions of § 500.73 of General Order ODT 18A, it is hereby ordered that:

§ 520.492 *Transportation of water-rail or rail-water-rail shipments.* Notwithstanding the provisions of § 500.72 of General Order ODT 18A, any person may offer for transportation, and any rail carrier may accept for transportation at, or forward from, a point where it receives carload freight from a water carrier, for a continuous movement beyond, carload freight moving by rail, thence by water, and thence by rail, or carload freight moving by water and thence by rail, when such freight is loaded to the extent hereinafter shown:

(a) When carload freight moving by rail, thence by water, and thence by rail has been loaded at initial shipping point in accordance with the requirements specified in § 500.72 of General Order ODT 18A, or in accordance with the requirements of a special direction issued pursuant to the provisions of § 500.73 of that order, or when the initial rail movement has been authorized by a general or special permit, such freight may be transported in a car of larger capacity from the point where transfer is made by such water carrier to a rail carrier, when such car is loaded as heavily as the car from which the freight was transferred to a water carrier. When a car of smaller capacity is furnished by a rail carrier for the movement of the freight from the point where transfer is made by a water carrier to such rail carrier, and the car of smaller capacity is not of sufficient size to accommodate the freight which was loaded in a single car at the initial shipping point, the loading requirements of General Order ODT 18A, or of any special direction issued pursuant to the provisions of § 500.73 of that order, will not apply in connection with the loading of such freight from the point where transfer is made by a water carrier to such rail carrier, provided the water carrier has ordered a car of sufficient size to accommodate such freight. When two or more cars have been used in transporting one consignment of freight to the point where transfer has been made by a rail carrier to a water carrier, the same number of cars may be used in transporting such consignment of freight from the point where transfer is made by such water carrier to a rail carrier.

(b) When carload freight moving by water and thence by rail is transferred by a water carrier to a rail carrier for movement beyond in a closed car, such closed car shall be loaded in accordance with one of the following requirements: (1) to a net weight of 80,000 pounds, or (2) to the marked capacity of the car, whichever is the lesser, or (3) a minimum of 2,500 cubic feet of loading space in such car shall be utilized.

(c) When carload freight moving by water and thence by rail is transferred

by a water carrier to a rail carrier for movement beyond in an open car, such open car shall be loaded in accordance with one of the following requirements: (1) to a net weight of 100,000 pounds, or (2) to the marked capacity of the car, whichever is the lesser, or (3) a minimum of 1,500 cubic feet of loading space in such car shall be utilized.

(d) When a single consignment of carload freight moving by water and thence by rail is tendered by a water carrier to a rail carrier in a quantity which can be loaded in the size of car ordered by the water carrier, but cannot be loaded in a car of the size furnished by such rail carrier, the following will apply: (1) When not more than two cars are used to transport such freight, the loading requirements of General Order ODT 18A, or of any special direction issued pursuant to the provisions of § 500.73 of that order, will not apply to such freight. (2) When more than two cars are used to transport a single consignment of carload freight moving by water and thence by rail, the loading requirements of General Order ODT 18A, or of any special direction issued pursuant to the provisions of § 500.73 of that order, will not apply to the freight loaded in one of such cars: *Provided, however,* That the provisions of this special direction shall not apply to carload freight moving first by water on the high seas and thence by rail.

This Special Direction ODT 18A-3 shall become effective November 1, 1943.

(E.O. 8989, 6 F.R. 6725; Gen. Order ODT 18A, this issue)

Issued at Washington, D. C., this 23d day of October 1943.

HENRY F. McCARTHY,
Director, Division of
Traffic Movement.

[F. R. Doc. 43-17255; Filed, October 25, 1943;
11:02 a. m.]

TITLE 50—WILDLIFE

Chapter IV—Office of the Coordinator of Fisheries

[Gen. Direction 5]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

LIMITATION OF AMOUNT OF PILCHARD BROUGHT INTO PORT

Pursuant to paragraph (n) of the order entitled "Coordinated Pilchard Production Plan" (8 F.R. 9233), being Order No. 1838 of the Secretary of the Interior, hereinafter called the pilchard order, and because I deem it necessary to accomplish the purposes of that order, I hereby issue the following General Direction No. 5, for the observance of which by the fishing captain of any particular vessel the permittee thereof shall be responsible:

(a) Whenever pilchard are brought in to any port in such quantities that they are not being processed, in my opinion, without

unreasonable delay and resulting substantial loss of food value from the product and of fishing time by some of the vessels, the Port Supervisor, pursuant to instructions from me, to be given him when I deem it reasonably necessary to initiate such a policy to accomplish the purposes of the pilchard order, shall limit the amount of pilchard which each vessel may thereafter bring into that port daily. The limits shall be set by the Port Supervisor for each day at an amount which, in his opinion, will provide the maximum tonnage which will be properly processed on that day by the processing equipment and labor then available in that port. The limits shall be changed from day to day as deemed necessary by the Port Supervisor, but except as otherwise provided herein shall be the same for all vessels on the same day.

(b) Notice of the fixing of limits, and of the maximum tonnage limits set for each day, shall be given by posting a statement thereof at least two and one half hours before sunset on the preceding day at the office of the Port Supervisor. If a notice is so posted, ignorance thereof by any person shall not excuse any violation of this direction. If any person interested does not secure information elsewhere as to the limit so fixed for a certain day, he shall secure it by telephone or other communication with the office of the Port Supervisor, before departing on the preceding day for fishing. But if any vessel remains out of port for two or more successive nights, and for that reason fails to learn of the limit for the day on which it delivers fish, its delivery of fish up to the limit set on the day it left port shall not be considered a violation of this direction.

(c) Any person bringing into port a load of pilchard more than five tons in excess of applicable limits so fixed, and any person taking delivery of any part of such a load in excess of the limits so fixed plus the five ton tolerance except pursuant to a direction expressly applicable to such excess tonnage given by the Port Supervisor or his Assistant with full knowledge of the facts, shall be guilty of violating this direction, and subject to remedial proceedings as are other violators of the pilchard order under paragraph (o) thereof. In addition the Port Supervisor may, in his discretion, delay dispatching any vessel bringing in such a load, for delivery of its load, or may cancel any dispatching direction already given for such load, or as to any part thereof, until all other pilchard deliveries in the port for that day are completed. He may also, in his discretion, set limits for the vessel for following days below those for other vessels in the port; the lowered limits may be such as to reduce actual deliveries by such vessel to an aggregate amount equal to or less than the aggregate tonnage it would have delivered if it had complied with this direction.

(d) Whenever it shall have been determined by me that the catch of any vessel or group of vessels has been materially lowered by reason of their previously operating under permits amended pursuant to paragraph (f) (2) of the pilchard order, the Port Supervisor may set a higher limit for such vessels than for the remainder of the fleet.

(e) Any of my functions under this direction in my absence or inability to act may be performed by my representative. Limitation of pilchard catches as set out herein is a temporary expedient and shall be terminated by the Port Supervisor as soon as possible when by reason of amending permits or other change of circumstances it is in his opinion no longer necessary.

Issued October 16, 1943.

O. E. SETTE,
Area Coordinator, Area II.

[F. R. Doc. 43-17245; Filed, October 25, 1943;
9:49 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

[No. 28]

ORLAND IRRIGATION PROJECT

PUBLIC NOTICE OF ANNUAL WATER CHARGES

OCTOBER 9, 1943.

1. *Annual operation and maintenance charges.* The annual operation and maintenance charge for the irrigation season of 1944, and thereafter until further notice, against all lands of the Orland project, California, under public notice, shall be a minimum charge of two dollars and twenty-five cents (\$2.25) per irrigable acre whether water is used or not, which charge will permit the delivery of not to exceed 3 acre-feet of water per acre; and additional water, up to the amount of the surplus natural flow water used prior to the time it becomes necessary to draw upon any storage water, will be furnished at the rate of ten cents (\$0.10) per acre-foot and further additional water at the rate of fifty cents (\$0.50) per acre-foot.

2. *Time of payment.* The minimum charge announced above, together with charges for additional water used during the irrigation season of 1943, will be due and payable on or before December 31, 1943, and no water will be delivered until both charges are paid. All charges are subject to the penalties prescribed by subsection H of section 4 of the act of December 5, 1924 (43 Stat., 703), if not paid on or before the due date stated above. The same terms of payment will apply to further irrigation seasons unless subsequently modified.

3. *Method of billing and payment.* All charges will be billed direct to the water users and will be payable by them to the Bureau of Reclamation, Orland, California.

(Act of June 17, 1902, 32 Stat., 388, as amended or supplemented)

MICHAEL W. STRAUS,
First Assistant Secretary.

[F. R. Doc. 43-17247; Filed, October 25, 1943;
9:49 a. m.]

[No. 29]

ORLAND IRRIGATION PROJECT

PUBLIC NOTICE OF ANNUAL WATER RENTAL CHARGES

OCTOBER 9, 1943.

1. Announcement is hereby made that, pending the cancellation of water rights on lands now delinquent in the payment of charges due the United States and the transfer of said water rights to other lands in private ownership that can be served from the constructed canal system, or minor extensions, on the Orland project, California, water will be furnished during the irrigation season of 1944 and thereafter until further notice,

upon approved applications for temporary water service for the irrigation of such other lands, upon a water rental basis, at the following rates and terms.

2. The minimum water rental charge for the lands to be irrigated under the provisions of this public notice shall be two dollars and twenty-five cents (\$2.25) per irrigable acre, which charge will permit the delivery of not to exceed three acre-feet of water per acre. Additional water will be furnished at the rate of fifty cents (\$0.50) per acre-foot. The minimum charge defined above will be due and payable at the time that application for temporary water service is executed and no water will be delivered until the minimum charge has been paid in full. Charges for additional water at the rates above specified must be paid in advance of the delivery of additional water and no advance payments shall be accepted in sums of less than \$10.00 which will permit the delivery of 20 acre-feet at the rate specified.

3. All charges for water rental service are to be paid to the Bureau of Reclamation, Orland, California.

(Act of June 17, 1902, 32 Stat., 388, as amended or supplemented)

MICHAEL W. STRAUS,
First Assistant Secretary.

OCTOBER 20, 1943.

[F. R. Doc. 43-17248; Filed, October 25, 1943; 9:49 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the *FEDERAL REGISTER* as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order June 7, 1943 (8 F.R. 7890).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

APPAREL INDUSTRY

Armour-Smallberg Manufacturing Corporation, Williamsport, Pennsylvania; men's woven underwear, shorts; 5 percent (T); effective October 21, 1943, expiring October 20, 1944.

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES, AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

Charming Lady Cottons, Incorporated, 1727 Broad Street, South Greensburg, Pennsylvania; cotton dresses; 10 percent (T); effective October 21, 1943, expiring October 20, 1944.

Circle Sportswear Company, 315 Cherry Street, Scranton, Pennsylvania; blouses, skirts and work clothes; 20 percent (A. T.); effective October 21, 1943, expiring April 20, 1944.

Clarksville Manufacturing Company, One Legion Street, Clarksville, Tennessee; U. S. Navy trousers, civilian work trousers and civilian work shirts; 10 percent (T); effective October 22, 1943, expiring October 21, 1944.

Clearfield Sportswear Company, 216 Fourth Avenue, Clearfield, Pennsylvania; defense clothing, government and civilian jackets; 10 percent (A. T.); effective October 23, 1943, expiring April 22, 1944.

Clearfield Sportswear Company, Curwenville, Pennsylvania; sport shirts; 10 percent (T); effective November 3, 1943, expiring November 2, 1944.

The Clifton Shirt Company, 129 West Fourth Street, Cincinnati, Ohio; uniform shirts; 10 percent (T); effective October 20, 1943, expiring October 19, 1944.

Duquesne Manufacturing Company, 852 Stanton Avenue, New Kensington, Pennsylvania; aprons and uniforms, hooverettes, bag and mattress covers; 10 learners (T); effective October 30, 1943, expiring October 29, 1944.

Hartwell Manufacturing Company, Incorporated, Howell Street, Hartwell, Georgia; pants and shirts; 10 percent (T); effective October 27, 1943, expiring October 26, 1944.

The Hercules Trouser Company, Hillsboro, Ohio; men's and boys' single pants; 20 percent (A. T.); effective October 23, 1943, expiring April 22, 1944.

The Hercules Trouser Company, Wellston, Ohio; men's and boys' single pants; 20 percent (A. T.); effective October 27, 1943, expiring April 26, 1944.

Honea Path Shirt Company, Incorporated, Honea Path, South Carolina; men's shirts, sportshirts and pajamas; 10 percent (T); effective October 22, 1943, expiring October 21, 1944.

Jeanette Frocks Manufacturing Company, 400 First Avenue North, Minneapolis, Minnesota; dresses; 8 learners (T); effective October 20, 1943, expiring October 19, 1944.

S. Liebovitz and Sons, Incorporated, East Seminary Street, Mercersburg, Pennsylvania; army shirts; 10 percent (T); effective October 23, 1943, expiring October 22, 1944.

Liebovitz and Sons, Incorporated, South Fayette and California Streets, Mercersburg, Pennsylvania; cotton and rayon sport shirts; 10 learners (T); effective October 20, 1943, expiring October 19, 1944.

S. Liebovitz and Sons, Incorporated, Donoghue Street, Gallitzin, Pennsylvania; men's dress shirts; 10 percent (T); effective October 20, 1943, expiring October 19, 1944.

Lisle Mills, Fourth and Cedar Streets, Allentown, Pennsylvania; infants' wear; 10 percent (T); effective October 21, 1943, expiring October 20, 1944.

Lomar Manufacturing Company, Pine Grove, Pennsylvania; apparel, pajamas; 10 learners (T); effective October 23, 1943, expiring October 22, 1944.

Louisville Shirt Company, East 5th and Caldwell Streets, Louisville, Georgia; men's and boys' cotton work clothing; 10 percent (T); effective October 22, 1943, expiring October 21, 1944.

R. Lowenbaum Manufacturing Company, Sparta, Illinois; dresses, U. S. mattress covers; 25 learners (A. T.); effective October 23, 1943, expiring April 22, 1944.

Martin Manufacturing Company, Lindell Street, Martin, Tennessee; cotton work shirts; 10 percent (T); effective October 22, 1943, expiring December 21, 1943.

Milberg & Milberg, Incorporated, Diller Avenue, New Holland, Pennsylvania; ladies' rayon underwear; 10 percent (T); effective October 23, 1943, expiring October 22, 1944.

New Era Shirt Company, Ironton, Missouri; men's and boys' shirts; 10 learners (T); effective October 25, 1943, expiring October 24, 1944.

O. B. Dress Company, Incorporated, 44 Pine Hollow Road, Oyster Bay, New York; ladies' cotton and rayon dresses; 3 learners (T); effective October 23, 1943, expiring October 22, 1944.

Nassau County Dress Company, Incorporated, 45 East John Street, Hicksville, Long Island, New York; ladies' cotton and rayon dresses; 5 learners (T); effective October 23, 1943, expiring October 22, 1944.

Par Ex Shirt Company, 20 Wooster Street, New Haven, Connecticut; men's shirts; 10 percent (T); effective October 20, 1943, expiring October 19, 1944.

Penn Garment Manufacturing Company, Incorporated, Goodman Building, Juniper and Vine Streets, Philadelphia, Pennsylvania; ladies' dresses and blouses; 10 percent (T); effective November 3, 1943, expiring November 2, 1944.

Penn Sportswear Corporation, 1010 Chestnut Streets, Allentown, Pennsylvania; ladies' dresses; 5 learners (T); effective October 23, 1943, expiring October 22, 1944.

Randolph Underwear Company, Incorporated, Randleman, North Carolina; ladies'

slips of woven fabrics; 20 percent (A. T.); effective November 3, 1943, expiring May 2, 1944.

Rice-Stix Factory #5, St. James, Missouri; ladies' cotton dresses and slacks; 10 percent (T); effective October 23, 1943, expiring October 22, 1944.

Rice-Stix Factory #10, 10 N. Division Street, Bonne Terre, Missouri; men's and boys' dress shirts and sport shirts; 20 percent (A. T.); effective October 23, 1943, expiring April 22, 1944.

Rice-Stix Factory #15, Lebanon, Missouri; overalls, jumpers, work pants and army pants; 20 percent (A. T.); effective October 23, 1943, expiring April 22, 1944.

Rice-Stix Factory #25, First and South A Streets, Farmington, Missouri; men's shirts; 20 percent (A. T.); effective October 23, 1943, expiring April 22, 1944.

Salant and Salant, Incorporated, Washington Street, Paris, Tennessee; cotton work shirts; 10 percent (T); effective October 22, 1943, expiring December 21, 1943.

Salant and Salant, Incorporated, First Street, Lawrenceburg, Tennessee; cotton work shirts for War Shipping Administration, cotton khaki shirts for U. S. army; 10 percent (T); effective October 22, 1943, expiring December 21, 1943.

I. Schneerson and Sons, Incorporated, 460 Globe Street, Fall River, Massachusetts; women's and children's woven rayon underwear; 10 percent (T); effective October 27, 1943, expiring October 26, 1944.

Shamokin Dress Company, 1012 North Shamokin Street, Shamokin, Pennsylvania; women's and girls' dresses; 10 percent (T); effective November 2, 1943, expiring November 1, 1944.

Stoughton Garment Manufacturing Company, 20 Perry Street, Stoughton, Massachusetts; ladies' gabardine coats; 4 learners (T); effective October 23, 1943, expiring October 22, 1944.

Traficante and Botto, 1226 South 8th Street, Philadelphia, Pennsylvania; women's dresses and blouses; 5 learners (T); effective October 20, 1943, expiring October 19, 1944.

United Pants Manufacturing Company, 26 and Reed Streets, Philadelphia, Pennsylvania; men's trousers; 10 percent (T); effective October 27, 1943, expiring October 26, 1944.

Weiss Shirt Company, 520 Lehman Street, Lebanon, Pennsylvania; shirts; 10 percent (T); effective October 30, 1943, expiring October 29, 1944.

GLOVES INDUSTRY

Frederic H. Burnham Company, Plymouth, Indiana; knit fabric and leather dress gloves; 5 learners (T); effective October 23, 1943, expiring October 22, 1944.

Frederic H. Burnham Company, Michigan City, Indiana; work gloves and leather dress gloves; 10 percent (A. T.); effective October 25, 1943, expiring April 24, 1944.

Thomas Donlon Glove Shop, Cooperstown, New York; wool and leather gloves; 20 learners (E); effective October 23, 1943, expiring April 22, 1944.

Enoch Manufacturing Company, Mt. Sterling, Kentucky; staple cotton work gloves; 10 learners (A. T.); effective October 23, 1943, expiring October 22, 1944.

Farfield Glove and Mitten Company, 603 W. Stone Street, Fairfield, Iowa; leather work gloves, leather dress gloves and mittens; 10 learners (A. T.); effective October 27, 1943, expiring April 26, 1944.

Knoxville Glove Company, 815 McGhee Avenue, Knoxville, Tennessee; work gloves; 10 percent (A. T.); effective October 24, 1943, expiring April 23, 1944.

HOSIERY INDUSTRY

Holston Manufacturing Company, Ninth Avenue and Mitchell Street, Knoxville, Ten-

nessee; seamless hosiery; 10 percent (A. T.); effective October 21, 1943, expiring April 20, 1944.

Infants Socks, Incorporated, 235 Superior Street, Fond du Lac, Wisconsin; seamless hosiery; 5 percent (T); effective October 23, 1943, expiring October 22, 1944.

Interwoven Hosiery Company, 200 N. Prospect Street, Hagerstown, Maryland; seamless hosiery; 5 percent (T); effective October 22, 1943, expiring October 21, 1944.

C. D. Jessup and Company, Claremont, North Carolina; dye and finish seamless hosiery; 5 learners (T); effective October 20, 1943, expiring October 19, 1944.

Morristown Knitting Mills, Incorporated, Dandridge, Tennessee; seamless hosiery; 10 percent (A. T.); effective October 23, 1943, expiring April 22, 1944.

Morristown Knitting Mills, Incorporated, White Pine, Tennessee; seamless hosiery; 5 percent (T); effective October 23, 1943, expiring October 22, 1944.

Morristown Knitting Mills, Incorporated, Morristown, Tennessee; seamless hosiery; 5 percent (T); effective October 23, 1943, expiring October 22, 1944.

Newnan Hosiery Mills, Incorporated, Berry Avenue, Newnan, Georgia; seamless hosiery; 15 percent (A. T.); effective October 25, 1943, expiring April 24, 1944.

Owen Osborne, Incorporated, Gainesville, Georgia; full-fashioned hosiery; 20 percent (A. T.); effective October 24, 1943, expiring April 23, 1944.

Princeton Hosiery Mills, Incorporated, Princeton, Kentucky; seamless and full-fashioned hosiery; 15 percent (A. T.); effective October 20, 1943, expiring April 19, 1944.

S & W Hosiery Mills, Athens, Tennessee; children's and misses' seamless cotton hosiery; 6 learners (E); effective October 21, 1943, expiring April 20, 1944.

Sterling Hosiery Mills, Incorporated, Spindale, North Carolina; full-fashioned hosiery; 10 learners (A. T.); effective October 24, 1943, expiring April 23, 1944.

Van Raalte Company, Incorporated, Willingham Circle, Blue Ridge, Georgia; full-fashioned hosiery; 10 percent (A. T.); effective October 22, 1943, expiring April 21, 1944.

TEXTILE INDUSTRY

The Blue Ridge Cord Company, Locust Street, Hendersonville, North Carolina; braided cord; 6 learners (A. T.); effective October 23, 1943, expiring April 22, 1944.

The Duplan Corporation, 1245 White Street, Winston Salem, North Carolina; nylon and rayon; 10 percent (A. T.); effective October 23, 1943, expiring April 22, 1944.

A Juilliard and Company, Incorporated, Aragon Mills Division, Aragon Mills, Georgia; cotton duck; 3 percent (T); effective October 21, 1943, expiring October 20, 1944.

Signed at New York, N. Y., this 23d day of October 1943.

MERLE D. VINCENT,
Authorized Representative
of the Administrator.

[F. R. Doc. 43-17254; Filed, October 25, 1943;
11:08 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 980]

CITY OF SARASOTA, FLORIDA, ET AL.

NOTICE OF HEARING

In the matter of the petitions of the City Council of Sarasota, Florida; City

Council of Bradenton, Florida; Board of County Commissioners of Sarasota County, Florida; and Board of County Commissioners of Manatee County, Florida; for a redesignation of an intermediate point on route No. 31 of National Air-lines, Inc.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of the said Act, in the above-entitled proceeding, that hearing is assigned for November 15, 1943, at 10:30 a. m. (eastern war time) in the Foyer of the Auditorium, Commerce Building, 14th Street and Constitution Avenue, NW., Washington, D. C.

Dated Washington, D. C., October 22, 1943.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 43-17201; Filed, October 23, 1943;
10:41 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5861]

IDAHO POWER COMPANY

NOTICE OF APPLICATION

OCTOBER 22, 1943.

Notice is hereby given that on October 19, 1943, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Idaho Power Company, a corporation organized under the laws of the State of Maine and doing business in the states of Idaho, Nevada and Oregon, with its principal business office at Boise, Idaho, seeking an order authorizing the issuance of \$18,000,000, principal amount, of First Mortgage Bonds, 3 1/4% Series due 1973, for the redemption and retirement of \$18,000,000 of First Mortgage Bonds, 3 1/4% Series due 1967, now issued and outstanding. Applicant proposes to issue the aforesaid bonds in the first instance in temporary form, which temporary bonds will be exchangeable without charge for definitive bonds, when prepared. Definitive bonds will be issued as coupon bonds in the denomination of \$1,000, registerable as to principal only, and as fully registered bonds in the denominations of \$1,000, \$10,000 or multiples of \$10,000; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 8th day of November, 1943, file with the Federal Power Commission a petition or protest in accordance with the Commission's Rules of Practice and Regulations.

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 43-17198; Filed, October 23, 1943;
9:45 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 1590]

TRADE MARKS, ETC., OF FERD. MULHENS, INC. AND PAUL PETER MULHENS

Re: Trade-marks and other property of Ferd. Mulhens, Inc. and Paul Peter Mulhens, and contractual interests relating thereto.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found in Vesting Order Number 407 of November 28, 1942, that Ferd. Mulhens, Inc., a New York corporation, New York, New York, is a national of a designated enemy country (Germany) and is therefore a national of a foreign country (Germany);

2. Finding that Paul Peter Mulhens (also referred to as Peter Muelhens), doing business from time to time under the names: Eau de Cologne & Parfumerie Fabrik, Cologne, Germany; Die Eau de Cologne & Parfumerie Fabrik "Glockengasse No. 4711" gegenüber der Pferdepost von Ferd. Mulhens, Cologne, Germany; Eau de Cologne & Parfumerie Fabrik "Glockengasse No. 4711" gegenüber der Pferdepost von Ferd. Mulhens, Cologne, Germany; and Ferdinand Mulhens, Königswinter-on-the-Rhine, Germany, and whose last known address is Cologne Germany, is a national of a foreign country (Germany);

3. Finding that said Ferd. Mulhens, Inc. is the owner of record:

(a) In the United States Patent Office of certain trade-marks and registrations thereof identified in Exhibit A (1) Part III attached hereto and made a part hereof, together with the rights thereunder as defined in subparagraph 6-b hereof; and

(b) In the Library of Congress Copyright Office of certain label copyrights and registrations thereof identified in Exhibit A (3) Part I attached hereto and made a part hereof, together with the rights thereunder as defined in subparagraph 6-d hereof;

4. Finding that said Ferd. Mulhens, Inc. holds said trade-marks, copyrights and registrations, and all rights thereunder as defined in subparagraphs 6-b and 6-d hereof as agent for the beneficial interest of Peter Muelhens;

5. Finding that the property described in subparagraph 6 is the property of Peter Muelhens (Paul Peter Mulhens);

6. Finding that the property described as follows:

(a) The trade-marks registered in the United States Patent Office under the numbers and on the dates set out in Exhibit A (1) Parts I and II attached hereto and made a part hereof, the titles to which stand of record in the names of persons as stated in connection with each registration listed in said Exhibit A (1) Parts I and II and the registrations thereof, together with

(i) The respective good will of the business in the United States and all its possessions to which trade-marks are appurtenant.

(ii) Any and all indicia of such good will (including but not limited to formulae, whether secret or not, secret processes, methods of manufacture and procedure, customers lists, labels, machinery and other equipment),

(iii) Any interest of any nature whatsoever in, and any rights and claims of every character and description to, said business, good will and trade-marks and registrations thereof, and

(iv) All accrued royalties payable or held with respect to said trade-marks and all damages and profits recoverable at law or in

equity from any person, firm, corporation or government for past infringement thereof;

(b) The trade-marks registered in the United States Patent Office under the numbers and on the dates set out in Exhibit A (1) Part III attached hereto and made a part hereof, the titles to which are held by the persons of record in the United States Patent Office for the beneficial interest of persons as stated in connection with each registration listed in said Exhibit A (1) Part III, and the registrations thereof, together with:

(i) The respective good will of the business in the United States and all its possessions to which the trade-marks are appurtenant,

(ii) Any and all indicia of such good will (including, but not limited to formulae, whether secret or not, secret processes, methods of manufacture and procedure, customers lists, labels, machinery and other equipment),

(iii) Any interest of any nature whatsoever in, and any rights and claims of every character and description to, said business, good will and trade-marks and registrations thereof, and

(iv) All accrued royalties payable or held with respect to said trade-marks and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof;

(c) The trade-marks set out in Exhibit A (2) attached hereto and made a part hereof, the title to which, as shown by the assignment record in the United States Patent Office Liber M 148, pages 593-604 are in the names of persons as stated in connection with each trade-mark listed in said Exhibit A (2), together with:

(i) The respective good will of the business in the United States and all its possessions to which the trade-marks are appurtenant,

(ii) Any and all indicia of such good will (including but not limited to formulae, whether secret or not, secret processes, methods of manufacture and procedure, customers lists, labels, machinery and other equipment),

(iii) Any interest of any nature whatsoever in, and any rights and claims of every character and description to, said business, good will and trade-marks, and

(iv) All accrued royalties payable or held with respect to said trade-marks and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof;

(d) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity to the copyright in the commercial labels and registrations thereof, the numbers of which are listed in Exhibit A (3) Part I attached hereto and made a part hereof, and the titles to which are held by the persons of record in the Library of Congress Copyright Office for the beneficial interest of persons, as stated in connection with each registration listed in said Exhibit A (3) Part I;

(e) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity to the copyright in the commercial labels, work of art, and book, and registrations thereof, the numbers of which are listed in Exhibit A (3) Part II attached hereto and made a part hereof, and the titles to which stand of record in the Library of Congress Copyright Office in the names of the persons as stated in connection with each registration listed in said Exhibit A (3) Part II;

(f) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patent and design patents set out in Exhibit B attached hereto and made a part hereof, the titles to which stand of record in the names of persons as stated in connection with each patent and design patent listed in said Exhibit B; and

(g) The interest in an agreement identified in Exhibit C attached hereto and made a part hereof;

is property of, or is property payable or held with respect to patents, trade-marks, copyrights and registrations or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

7. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

8. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 6 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on June 3, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

(1) Trade-marks which are identified as follows and the titles to which stand of record in the United States Patent Office in the names of the registrants indicated respectively, except where other record owner is shown:

PART I

Reg. No., Date, Registrant and Character of Goods

150,259, 1-3-22 (expired), Chas. Randolph Boyd, Record title in Paul Peter Mulhens, German national, Cologne, Germany, Complexion powder.

117,288, 7-3-17 (renewed), George Borgfeldt & Co., Record title in Paul Peter Mulhens, German national, doing business under the name Eau de Cologne & Parfumerie Fabrik, Cologne, Germany, Face powder, toilet powder, tooth powder, etc.

200,685, 7-7-25, The J. R. Watkins Company, Record title in Paul Peter Mulhens, German national, doing business as Eau de Cologne & Parfumerie Fabrik, Cologne, Germany,

Mulhens, Cologne, Germany, Soaps, including toilet soaps, shaving sticks.

251,116, 12-25-28, Paul Peter Mulhens, German national, doing business as Eau de Cologne- & Parfumerie-Fabrik "Glockengasse No. 4711" gegenüber der Pferdepost von Ferd. Mulhens, Cologne, Germany, Lotions, creams, and powders, etc.

259,543, 7-30-29, Paul Peter Mulhens, German national, doing business as Eau de Cologne- & Parfumerie-Fabrik "Glockengasse No. 4711" gegenüber der Pferdepost von Ferd. Mulhens, Cologne, Germany, Eau de cologne water, talcum powder, etc.

274,603, 9-2-30, Paul Peter Mulhens, German national, doing business as Eau de Cologne- & Parfumerie-Fabrik "Glockengasse No. 4711" gegenüber der Pferdepost von Ferd. Mulhens, Cologne, Germany, Soaps, including toilet soaps and shaving sticks.

274,604, 9-2-30, Paul Peter Mulhens, German national, doing business as Eau de Cologne- & Parfumerie-Fabrik "Glockengasse No. 4711" gegenüber der Pferdepost von Ferd. Mulhens, Cologne, Germany, Soaps, including toilet soaps and shaving sticks.

278,249, 12-9-30, Paul Peter Mulhens, German national, doing business as Eau de Cologne- & Parfumerie-Fabrik "Glockengasse No. 4711" gegenüber der Pferdepost von Ferd. Mulhens, Cologne, Germany, Soaps, including toilet soaps and shaving sticks.

278,989, 1-6-31, Paul Peter Mulhens, German national, doing business as Eau de Cologne- & Parfumerie-Fabrik "Glockengasse No. 4711" gegenüber der Pferdepost von Ferd. Mulhens, Cologne, Germany, Shaving soap, toilet soap, etc.

279,463, 1-13-31, Paul Peter Mulhens, German national, doing business as Eau de Cologne- & Parfumerie-Fabrik "Glockengasse No. 4711" gegenüber der Pferdepost von Ferd. Mulhens, Cologne, Germany, Eau de cologne, lavender water, etc.

283,978, 6-9-31, Paul Peter Mulhens, German national, doing business as Eau de Cologne- & Parfumerie-Fabrik "Glockengasse No. 4711" gegenüber der Pferdepost von Ferd. Mulhens, Cologne, Germany, Eau de cologne water, perfume, etc.

286,810, 9-8-31, Paul Peter Mulhens, German national, doing business as Eau de Cologne- & Parfumerie-Fabrik "Glockengasse No. 4711" gegenüber der Pferdepost von Ferd. Mulhens, Cologne, Germany, Soaps, including toilet soaps and shaving sticks.

287,515, 9-29-31, Paul Peter Mulhens, German national, doing business as Eau de Cologne- & Parfumerie-Fabrik "Glockengasse No. 4711" gegenüber der Pferdepost von Ferd. Mulhens, Cologne, Germany, Eau de cologne water, perfume, etc.

291,802, 2-23-32, Paul Peter Mulhens, German national, doing business as Eau de Cologne- & Parfumerie-Fabrik "Glockengasse No. 4711" gegenüber der Pferdepost von Ferd. Mulhens, Cologne, Germany, Eau de cologne water, perfume, etc.

291,804, 2-23-32, Paul Peter Mulhens, German national, doing business as Eau de Cologne- & Parfumerie-Fabrik "Glockengasse No. 4711" gegenüber der Pferdepost von Ferd. Mulhens, Cologne, Germany, Eau de cologne water, perfume, etc.

292,031, 3-1-32, Paul Peter Mulhens, German national, doing business as Eau de Cologne- & Parfumerie-Fabrik "Glockengasse No. 4711" gegenüber der Pferdepost von Ferd. Mulhens, Cologne, Germany, Soaps, including toilet soaps, shaving soap, etc.

292,263, 3-8-32, Paul Peter Mulhens, German national, doing business as Eau de Cologne- & Parfumerie-Fabrik "Glockengasse No. 4711" gegenüber der Pferdepost von Ferd. Mulhens, Cologne, Germany, Eau de cologne water, Perfumery, etc.

292,775, 3-29-32, Paul Peter Mulhens, German national, doing business as Eau de Cologne- & Parfumerie-Fabrik "Glockengasse No. 4711" gegenüber der Pferdepost

von Ferd. Mulhens, Cologne, Germany, Cologne water and extracts of cologne water.

323,280, 4-9-35, Paul Peter Mulhens, German national, doing business as Eau de Cologne- & Parfumerie-Fabrik "Glockengasse No. 4711" gegenüber der Pferdepost von Ferd. Mulhens, Cologne, Germany, Shaving stick, shaving cream and toilet soap.

323,281, 4-9-35, Paul Peter Mulhens, German national, doing business as Eau de Cologne- & Parfumerie-Fabrik "Glockengasse No. 4711" gegenüber der Pferdepost von Ferd. Mulhens, Cologne, Germany, Skin lotion, hair lotion, shampoo, etc.

339,541, 10-13-36, Paul Peter Mulhens, German national, doing business as Eau de Cologne- & Parfumerie-Fabrik "Glockengasse No. 4711" gegenüber der Pferdepost von Ferd. Mulhens, Cologne, Germany, Eau de cologne, lavender water, etc.

326,116, 7-16-35, Paul Peter Mulhens, German national, doing business as Eau de Cologne- & Parfumerie-Fabrik "Glockengasse No. 4711" gegenüber der Pferdepost von Ferd. Mulhens, Cologne, Germany, Shaving soap, toilet soap, glycerine soap, etc.

332,415, 2-11-36, Paul Peter Mulhens, German national, doing business as Eau de Cologne- & Parfumerie-Fabrik "Glockengasse No. 4711" gegenüber der Pferdepost von Ferd. Mulhens, Cologne, Germany, Eau de cologne, lavender water, etc.

347,371, 6-22-37, Ferd. Mulhens, Inc., Record title in Paul Peter Mulhens, German national, doing business as Eau de Cologne & Parfumerie Fabrik "Glockengasse No. 4711" gegenüber der Pferdepost von Ferd. Mulhens, Cologne, Germany, Shaving soap, toilet soap, etc.

350,182, 9-21-37, Paul Peter Mulhens, German national, doing business as Eau de Cologne- & Parfumerie-Fabrik "Glockengasse No. 4711" gegenüber der Pferdepost von Ferd. Mulhens, Cologne, Germany, Eau de cologne, lavender water, etc.

370,183, 8-22-39, Paul Peter Mulhens, German national, doing business as Eau de Cologne- & Parfumerie-Fabrik, Cologne, Germany, Razor blades, safety razor blades, etc.

315,297, 7-24-34, Paul Peter Mulhens, German national, doing business as Ferdinand Mulhens, Konigs-winter-on-the-Rhine, Germany, Wines.

315,298, 7-24-34, Paul Peter Mulhens, German national, doing business as Ferdinand Mulhens, Konigs-winter-on-the-Rhine, Germany, Wines.

PART II

9,405, 4-23-82 (expired), Mulhens & Kropff, Record title in Peter Muelhens, German national, Cologne, Germany, Cologne water, Florida water, etc.

12,863, 12-15-85 (expired), Mulhens & Kropff, Record title in Peter Muelhens, German national, Cologne, Germany, Glycerine soap.

12,942, 1-12-86 (expired), Mulhens & Kropff, Record title in Peter Muelhens, German national, Cologne, Germany, Perfumery.

12,944, 1-12-86 (expired), Mulhens & Kropff, Record title in Peter Muelhens, German national, Cologne, Germany, Perfumery.

50,685, 3-27-06 (renewed), Mulhens & Kropff, Record title in Peter Muelhens, German national, Cologne, Germany, Toilet soaps.

51,386, 4-17-06 (renewed), Mulhens & Kropff, Record title in Peter Muelhens, German national, Cologne, Germany, Glycerin soap.

72,521, 2-2-09 (renewed), Mulhens & Kropff, Record title in Peter Muelhens, German national, Cologne, Germany, Toilet soap.

74,565, 7-20-09 (renewed), Mulhens & Kropff, Record title in Peter Muelhens, German national, Cologne, Germany, Perfume and toilet water.

81,161, 3-7-11 (expired), Mulhens & Kropff, Record title in Peter Muelhens, German national, Cologne, Germany, Toilet water.

83,686, 10-3-11 (expired), Mulhens & Kropff, Record title in Peter Muelhens, German national, Cologne, Germany, Toilet soap.

98,803, 8-4-14 (renewed), Mulhens & Kropff, Record title in Peter Muelhens, German national, Cologne, Germany, Glycerin toilet soap.

119,902, 12-18-17, William Kropff, Record title in Peter Muelhens, German national, Cologne, Germany, Perfumes.

143,100, 5-24-21 (renewed), Mulhens & Kropff, Incorporated, Record title in Peter Muelhens, German national, Cologne, Germany, Antiseptic mouthwash and scalp remedy.

143,408, 5-31-21 (renewed), Mulhens & Kropff, Incorporated, Record title in Peter

Muelhens, German national, Cologne, Germany, Medicated soaps and shaving soaps.

144,207, 6-28-21 (renewed), Muelhens & Kropff, Incorporated, Record title in Peter Muelhens, German national, Cologne, Germany, Cold cream, vanishing cream, etc.

220,644, 11-16-26, Muelhens & Kropff, Incorporated, Record title in Peter Muelhens, German national, Cologne, Germany, Talcum powder, bath dusting powder, etc.

262,849, 10-29-29, Peter Muelhens, German national, doing business as Eau de Cologne- & Parfumerie-Fabrik "Glockengasse No. 4711" gegenüber der Pferdepost von Ferd. Muelhens, Cologne, Germany, Soaps, toilet soap, shaving soap, etc.

264,438, 11-26-29, Peter Muelhens, German national, doing business as Eau de Cologne- & Parfumerie-Fabrik "Glockengasse No. 4711" gegenüber der Pferdepost von Ferd. Muelhens, Cologne, Germany, Soaps.

265,197, 12-17-29, Peter Muelhens, German national doing business as Eau de Cologne- & Parfumerie-Fabrik, "Glockengasse No. 4711" gegenüber der Pferdepost von Ferd. Muelhens, Cologne, Germany, Cosmetic preparations, etc.

PART III

257,193, 6-4-29, Ferd. Muelhens, Inc., For the beneficial interest of Peter Muelhens, German national, Cologne, Germany, Soaps.

260,914, 9-3-29, Ferd. Muelhens, Inc., For the beneficial interest of Peter Muelhens, German national, Cologne, Germany, Eau de cologne, bath salt, perfumery, etc.

267,211, 2-18-30, Ferd. Muelhens, Inc., For the beneficial interest of Peter Muelhens, German national, Cologne, Germany, Eau de cologne, lavender water, etc.

268,378, 3-11-30, Ferd. Muelhens, Inc., For the beneficial interest of Peter Muelhens, German national, Cologne, Germany, Soaps, toilet soap, shaving soap, etc.

292,895, 3-29-32, Ferd. Muelhens, Inc., For the beneficial interest of Peter Muelhens, German national, Cologne, Germany, Perfumes.

300,166, 1-10-33, Ferd. Muelhens, Inc., For the beneficial interest of Peter Muelhens, German national, Cologne, Germany, Eau de cologne, perfumery, etc.

300,579, 1-24-33, Ferd. Muelhens, Inc., For the beneficial interest of Peter Muelhens, German national, Cologne, Germany, Eau de cologne.

300,580, 1-24-33, Ferd. Muelhens, Inc., For the beneficial interest of Peter Muelhens, German national, Cologne, Germany, Eau de cologne, perfume, etc.

339,948, 10-27-36, Ferd. Muelhens, Inc., For the beneficial interest of Peter Muelhens, German national, Cologne, Germany, Shaving soap, toilet soap, etc.

340,110, 11-3-36, Ferd. Muelhens, Inc., For the beneficial interest of Peter Muelhens, German national, Cologne, Germany, Eau de cologne, lavender water, etc.

(2) The trade-marks not registered in the United States Patent Office, identified as follows and which were transferred by assignment dated May 2, 1931, recorded in the United States Patent Office, Liber M 148, pages 593-604 from Muelhens & Kropff, Incorporated, William F. Kropff, William Kropff and Daniel J. Mulster to Peter Muelhens, a German national, Cologne, Germany:

Description of Mark

Toilet soaps:	Toilet scaps—Con.
Violette du Rhin	Juventa
Statilla	Rosa Rosita
Verdura	Viola Violetta
Opal	Aviator
Cordiale	Rhine
Floralpa	Fernwood
Lecina	Savon Eminence
Savon de Voyage	Eau de Cologne
Palmoline	Dr. P. J. Eichoff's
Reform	Superfatted Medicinal
Savon de Paris	
Helios	

Perfumes, etc.:	Perfumes, etc.—Con.
Favorita	Lillies of the Dell
Fleur des Alpes	Mignon
La Baronesse	Sevillan
La Jeune Egyptienne	American Beauty
La Satineuse	Rose
Luxus	Graziella
Oriviola	Eldorado
Rhine Violets	Saintair
Violette du Rhin	Monterey
Amorena	Rhinelander
Eau de Lys	Rhine Rose
Mon Muguet	Satilla
Captol	Velvetol
Bouquet du Soudan	Gala
Cavalier	Valeska
Helios	Extrait d'Esau
Juventa	Cologne
La Cathedrale	Double
La Parisienne	Toilet water:
Marathon	Eau de Cologne
Eau de Louvain	Oriental Ambree
Tan Kissed	Eau de Verveine
Tan Kist	Viola Violetta
Cordiale	

(3) The copyrights which are identified as follows and the titles to which stand of record in the Library of Congress Copyright Office in the names of the registrants indicated respectively, except where other record owner is shown:

A

COMMERCIAL LABELS

Registration No., Publication Date, Registrant and Title

KK. 16,324, 8-25-42, Ferd. Muelhens, Inc., For the beneficial interest of Peter Muelhens, German national, Cologne, Germany, Bath salts.

KK. 16,325, 7-15-42, Ferd. Muelhens, Inc., For the beneficial interest of Peter Muelhens, German national, Cologne, Germany, Blue & gold double, etc.

KK. 16,326, 8-6-42, Ferd. Muelhens, Inc., For the beneficial interest of Peter Muelhens, German national, Cologne, Germany, Bath soap.

B

COMMERCIAL LABELS

16,074, 11-14-11 (expired), Muelhens & Kropff, Record title in Peter Muelhens, German national, Cologne, Germany, White rose transparent glycerine soap.

17,544, 1-16-14 (renewed), Muelhens & Kropff, Record title in Peter Muelhens, German national, Cologne, Germany, Extrait d'eau de cologne double.

22,188, 12-16-19, Muelhens & Kropff, Record title in Peter Muelhens, German national, Cologne, Germany, White rose transparent glycerine soap.

22,189, 12-16-19, Muelhens & Kropff, Record title in Peter Muelhens, German national, Cologne, Germany, Extrait d'eau de cologne double.

33,259, 9-15-27, Muelhens & Kropff, Record title in Peter Muelhens, German national, Cologne, Germany, Extrait d'eau de cologne double.

33,260, 9-15-27, Muelhens & Kropff, Record title in Peter Muelhens, German national, Cologne, Germany, White rose transparent glycerine soap.

33,261, 11-14-27, Muelhens & Kropff, Record title in Peter Muelhens, German national, Cologne, Germany, Eau de cologne bath salts.

38,664, 4-15-30, Muelhens & Kropff, record title in Peter Muelhens, German national, Cologne, Germany, Eau de cologne bath salts.

38,665, 4-15-30, Muelhens & Kropff, Record title in Peter Muelhens, German national, Cologne, Germany, White rose transparent glycerine soap.

38,666, 4-15-30, Muelhens & Kropff, record title in Peter Muelhens, German national, Cologne, Germany, Extrait D'Eau de cologne double.

WORK OF ART

40,970, 5-28-12 (expired), Muelhens & Kropff, Record title in Peter Muelhens, German national, Cologne, Germany, Head of a young woman, three-quarters face. Title: An American Beauty.

BOOK

818,534, 12-18-24, Muelhens & Kropff, Record title in Peter Muelhens, German national, Cologne, Germany, Advertising folder, No. 635.

EXHIBIT B

Patent and design patents the titles to which stand of record in the United States Patent Office in the name of Paul Peter Muelhens and which are identified respectively as follows:

PART I

Mechanical Patent No., Date, Inventor, and Title

2,036,351, 4-7-36, Paul Peter Muelhens, German national, Cologne, Germany, Holder for the caps of containers.

PART II

Design Patent No., Date, Inventor, and Title

99,629, 5-12-36, Paul Peter Muelhens, German national, Cologne, Germany, Design for a bottle.

99,646, 5-12-36, Paul Peter Muelhens, German national, Cologne, Germany, Design for a bottle.

99,647, 5-12-36, Paul Peter Muelhens, German national, Cologne, Germany, Design for a bottle.

99,648, 5-12-36, Paul Peter Muelhens, German national, Cologne, Germany, Design for a bottle.

99,649, 5-12-36, Paul Peter Muelhens, German national, Cologne, Germany, Design for a bottle.

114,718, 5-9-39, Paul Peter Muelhens, German national, Cologne, Germany, Design for a bottle.

117,659, 11-14-39, Paul Peter Muelhens, German national, Cologne, Germany, Design for a bottle.

EXHIBIT C

All interests and rights (including all accrued royalties and other monies payable or held with respect to said interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Peter Muelhens by virtue of a certain agreement dated at New York May 1, 1931 (including all modifications thereto and supplements thereto, if any) by and between Peter Muelhens, therein indicated the House of Muelhens, and Ferd. Muelhens, Inc., pursuant to which Peter Muelhens agreed to appoint Ferd. Muelhens, Inc., his sole and exclusive agent in the United States of America for the compounding, manufacturing and/or selling of eau de cologne, soaps, perfumeries, toiletries and kindred articles under the trade-mark, trade name and label "4711" and such other trade-marks, trade names and labels as directed by Peter Muelhens, and Ferd. Muelhens, Inc., agreed to pay Peter Muelhens for his services in assisting in the direction of the business of Ferd. Muelhens, Inc. and further agreed that all trade-marks, trade names or labels used or hereafter to be used upon or in relation to products sold by it, including the recipes for blending, manufacturing or compounding of any such products, are the property of Peter Muelhens.

[Vesting Order 2369]

ESTATE OF CHRISTIANA LEETTEN

In re: Estate of Christiana Leetten, deceased; File D-28-3881; E.T. sec. 6568.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Henry J. Gerhardt, Executor, acting under the judicial supervision of the Orphans Court, Philadelphia County, Pennsylvania.

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Sofia Gernhard, Germany.

Issue of Sofia Gernhard, names unknown, Germany.

Emelle Loffler, Germany.

Issue of Emelle Loffler, names unknown, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Sofia Gernhard, Issue of Sofia Gernhard, names unknown, Emelle Loffler and Issue of Emelle Loffler, names unknown, and each of them, in and to the estate of Christiana Leetten, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall

have the meanings prescribed in section 10 of said Executive Order.

Dated: October 9, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-17205; Filed, October 23, 1943;
11:38 a. m.]

[Vesting Order 2370]

TRUSTS UNDER WILL OF FREDERICK C. LEHMER

In re: Trusts under the will of Frederick C. Lehmer, also known as Frederick Charles Lehmer, also known as F. C. Lehmer, deceased; File D-28-1767; E. T. sec. 1017.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by Bruno Heerde and Marie Lehmer Heerde, Trustees, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Karl Frederick Lehmer, Germany.

Augusta Frenzel, Germany.

Eduard Lehmer, Germany.

Wilhelm Prautsch, Germany.

Alma Frenzel, Germany.

Franz Lehmer, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Karl Frederick Lehmer, Augusta Frenzel, Eduard Lehmer, Wilhelm Prautsch, Alma Frenzel and Franz Lehmer and each of them in and to the trust estates created under the will of Frederick C. Lehmer, also known as Frederick Charles Lehmer, also known as F. C. Lehmer, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be

paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: October 9, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-17206; Filed, October 23, 1943;
11:38 a. m.]

[Vesting Order 2371]

ESTATE OF GEORGE MAURER

In re: Estate of George Maurer, deceased; File D-28-3758; E. T. sec. 6356.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by Henry Trunkenbolz, Eagle, Nebraska, Executor, acting under the judicial supervision of the County Court of the State of Nebraska, in and for the County of Cass;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Diebold Maurer, Germany.

Hans Trunkenbolz, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of \$684.45 which is in the process of administration by and in the possession and custody of Henry Trunkenbolz, executor of the estate of George Maurer, deceased, also all right, title, interest and claim of any kind or character whatsoever of Diebold Maurer and Hans Trunkenbolz in and to the estate of George Maurer, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: October 9, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-17207; Filed, October 23, 1943;
11:38 a. m.]

[Vesting Order 2372]

ESTATE OF HENRY F. MALLY

In re: Estate of Henry F. Mally, deceased; File D-28-2611; E. T. sec. 4439.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by Thomas G. Grace, as Executor, acting under the judicial supervision of the Surrogate's Court, County of Kings, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Theodor Winkelman, Germany.
Minnie Geldmeier, Germany.

Henriette Rohe, also known as Minnie Rohe, Germany.

The children, whose names are unknown of Henriette Rohe, also known as Minnie Rohe, Germany.

Sophie Priesmeier, Germany.
Carl Mallu, Germany.
Louisa Preismeier, Germany.
Henriette Elbrecht, Germany.
Hermann Winkelmann, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Theodor Winkelman, Minnie Geldmeier, Henriette Rohe, also known as Minnie Rohe, the children, whose names are unknown of Henriette Rohe, also known as Minnie Rohe, Sophie Priesmeier, Carl Mallu, Louisa Preismeier, Henriette Elbrecht and Hermann Winkelmann, and each of them, in and to the Estate of Henry F. Mally, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: October 9, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-17208; Filed, October 23, 1943;
11:38 a. m.]

[Vesting Order 2373]

TRUST UNDER WILL OF H. EDGAR REDDELLEN

In re: Trust under the will of H. Edgar Reddelien, deceased; File D-28-2363; E. T. sec. 4169.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by The Pennsylvania Company for Insurances on Lives and Granting Annuities, Trustee, acting under the judicial supervision of the Orphans Court, Philadelphia County, Pennsylvania.

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Dagmar von Elcke und Polwitz, Germany.
Irene von der Wense, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Dagmar von Elcke und Polwitz and Irene von der Wense, and each of them, in and to the trust created under the will of H. Edgar Reddelien, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: October 9, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-17209; Filed, October 23, 1943;
11:39 a. m.]

[Vesting Order 2374]

ESTATE OF ERNST REICHERT

In re: Estate of Ernst Reichert, deceased; File D-28-6523; E. T. sec. 4603.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by Walter Reichert, administrator, acting under the judicial supervision of the Surrogate's Court, County of New York, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, na-

tions of a designated enemy country, Germany, namely.

Nationals and Last Known Address

Marie Heidenreich, Germany.
Ernest Reichert, Germany.
Agnes Richter, Germany.
Fritz Reichert, Germany.
Willi Reichert, Germany.
Feodor Reichert, Germany.
Edith Paasche, Germany.
Annaliese Paasche, Germany.
Elfriede Paasche, Germany.
Margarete Lindner, Germany.
Marcel Lindner, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Marie Heidenreich, Ernest Reichert, Agnes Richter, Fritz Reichert, Willi Reichert Feodor Reichert, Edith Paasche, Annaliese Paasche, Elfriede Paasche, Margarete Lindner and Marcel Lindner, and each of them, in and to the Estate of Ernest Reichert, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: October 9, 1943.

[SEAL] **LEO T. CROWLEY,**
Alien Property Custodian.

[F. R. Doc. 43-17210; Filed, October 23, 1943;
11:39 a. m.]

[Vesting Order 2375]

ESTATE OF EMANUEL ROTH

In re: Estate of Emanuel Roth, deceased; File D-57-81; E. T. sec. 5823.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Sadie Mandeson, Administratrix, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Roumania, namely,

Nationals and Last Known Address

Myron Roth, Roumania.
Rose Roth, Roumania.
Velma Roth, Roumania.
Jacob Roth, Roumania.

And determining that—

(3) If such national are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Roumania; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Myron Roth, Rose Roth, Velma Roth and Jacob Roth, and each of them, in and to the Estate of Emanuel Roth, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: October 9, 1943.

[SEAL] **LEO T. CROWLEY,**
Alien Property Custodian.

[F. R. Doc. 43-17211; Filed, October 23, 1943;
11:39 a. m.]

[Vesting Order 2376]

TRUST UNDER WILL OF EMIL A. SAENGER

In re: Trust under the will of Emil A. Saenger, deceased; File D-28-6615; E. T. sec. 4724.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by the Manufacturers & Traders Trust Company, trustees, acting under the judicial supervision of the Surrogate's Court, Erie County, New York; and

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Erika Gorn, Germany.
Hettie Gorn, Germany.
Kaethe Gorn, Germany.
Karl Gorn, Germany.
Ottomarie Saenger, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Erika Gorn, Hettie Gorn, Kaethe Gorn, Karl Gorn and Ottomarie Saenger, and each of them, in and to the trust created under the will of Emil Saenger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall

have the meanings prescribed in section 10 of said Executive Order.

Dated: October 9, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-17212; Filed, October 23, 1943;
11:39 a. m.]

[Vesting Order 2377]

ESTATE OF CESARE SCALPELLINI

In re: Estate of Cesare Scalpellini, also known as Cesare Scarpellini, deceased; File D-38-2741; E. T. sec. 7689.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by Ottavio Diotallevi, Box 176, Brewster, Ohio, Administrator, acting under the judicial supervision of the Probate Court of Stark County, Ohio;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Italy, namely,

Nationals and Last Known Address

Edoardo Scarpellini, Italy.
Francesco Scarpellini, Italy.
Giulia Graziosi, Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Edoardo Scarpellini, Francesco Scarpellini and Giulia Graziosi, and each of them, in and to the estate of Cesare Scalpellini, also known as Cesare Scarpellini, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form

APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: October 9, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-17213; Filed, October 23, 1943;
11:40 a. m.]

[Vesting Order 2378]

TRUST UNDER WILL OF REINHARD W.
STRASSBERGER

In re: Trust under the will of Reinhard W. Strassberger, deceased; File D-28-6509; E. T. sec. 5379.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by the Hudson Trust Company, 51 Newark Street, Hoboken, New Jersey, Trustee, acting under the judicial supervision of the Hudson County Orphans' Court of the State of New Jersey, in and for the County of Hudson; and

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National and Last Known Address

Hedwig Strassberger, Germany.

And determining that—

(3) If such a national is a person not within a designated enemy country, the national interest of the United States requires that such a person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Hedwig Strassberger, in and to the Trust Estate created under the Last Will and Testament of Reinhard W. Strassberger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: October 9, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-17214; Filed, October 23, 1943;
11:40 a. m.]

[Vesting Order 2379]

ESTATE OF AUGUSTE VAJE

In re: Estate of Auguste Vaje, also known as Catharina Dorothee Auguste Vaje, deceased; File F-28-12473; E. T. sec. 6513.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by Otto A. Hoecker, Administrator with the Will Annexed, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Shasta.

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany; namely,

National and Last Known Address

Adolf Vaje, also known as Heinrich Wilhelm Adolf Vaje, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Adolf Vaje, also known as Heinrich Wilhelm Adolf Vaje, in and to the Estate of Auguste Vaje, also known as Catharina Dorothee Auguste Vaje, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of

the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: October 9, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-17215; Filed, October 23, 1943;
11:40 a. m.]

[Vesting Order 2380]

TRUST UNDER WILL OF LEOPOLD WAGNER

In re: (a) Trust created by order of the Vanderburgh County Probate Court (Indiana), in the estate of Leopold Wagner, deceased.

(b) Trust under the will of Leopold Wagner, deceased; File D-28-4421; E. T. sec. 1216.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Old National Bank in Evansville, 416 Main Street, Evansville, Indiana, Trustee, acting under the judicial supervision of the Vanderburgh County Probate Court of the State of Indiana, in and for the County of Vanderburgh;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Adolph Wagner, Germany.

The wife and children of Adolph Wagner, names unknown, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

(a) Cash distributable and payable to Adolph Wagner in the sum of \$207.35 which amount is in the custody of the Old National Bank in Evansville, Trustee, pursuant to the terms of a trust created by order of the Vanderburgh County Probate Court (Indiana)

in the estate of Leopold Wagner, deceased; and

(b) All right, title, interest, and claim of any kind or character whatsoever of Adolph Wagner and the wife and children of Adolph Wagner, names unknown, and each of them, in and to the Trust Estate created under the Last Will and Testament of Leopold Wagner, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: October 9, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-17216; Filed, October 23, 1943;
11:40 a. m.]

[Vesting Order 2381]

TRUST UNDER WILL OF JAMES L. WOODS

In re: Trust under the will of James L. Woods, deceased; File D-38-1688; E. T. sec. 4658.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation.

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Lee J. Perrin, as substituted trustee, acting under the judicial supervision of the Surrogate's Court, Chemung County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals and Last Known Address

Edoardo Spinola, Italy.

Ginestra Spinola, Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Edoardo Spinola and Ginestra Spinola, and each of them, in and to the trust created under the will of James L. Woods, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: October 9, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-17217; Filed, October 23, 1943;
11:40 a. m.]

[Vesting Order 2382]

ESTATE OF FERDINAND P. WULF

In re: Estate of Ferdinand P. Wulf, deceased; File D-28-2397; E. T. sec. 3221.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by W. H. Davison, Executor, acting under the judicial supervision of the Probate Court of Canyon County, State of Idaho;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Mrs. Agnes Doge and her issue, Germany.

Miss Dora Wulf and her issue, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires

that such persons be treated as nationals of a designated enemy country, Germany; and Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Mrs. Agnes Doge and her issue and Miss Dora Wulf and her issue and each of them in and to the Estate of Ferdinand P. Wulf, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: October 9, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-17218; Filed, October 23, 1943;
11:40 a. m.]

OFFICE OF PRICE ADMINISTRATION.

Regional and District Office Orders.

[Region I Order G-16 Under Rev. MPR 122]

SOLID FUELS IN BROCKTON, MASS., AREA

Order No. G-16 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels in Brockton, Massachusetts, area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *Maximum prices established by this order.* The maximum prices established by §§ 1340.252, 1340.254, 1340.256, 1340.257 and 1340.265 of Revised Maximum Price Regulation No. 122 for sales

of specified kinds of solid fuels in the Brockton, Massachusetts, area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said specified solid fuels, are hereby modified, so that the maximum prices therefor shall be the prices hereinafter set forth. Maximum prices are established for (1) sales of various quantities of the specified solid fuels to various classes of purchasers under various conditions of delivery; and (2) charges which may be made, in addition to such maximum prices for the specified solid fuels, for specified services. The geographical applicability of this order G-16 is explained in paragraph (f), and the terms used herein are defined in paragraph (g).

Except as otherwise specifically provided herein, the provisions of Revised Maximum Price Regulation No. 122 apply to all transactions which are the subject of the Order G-16. Specifically, but without limiting the generality of the foregoing, the prohibitions contained in § 1340.252 apply except to the extent that this Order G-16 provides uniform allowances, discounts, price differentials, service charges, and so forth.

Nothing contained in this order shall be so construed as to permit noncompliance with any statutes of the Commonwealth of Massachusetts, or any rules or regulations promulgated under any such statutes, concerning sales or deliveries of solid fuels.

(b) *Price Schedule I: Sales on a delivered basis.* (1) Price Schedule I sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered to consumers at any point in the Brockton, Massachusetts, area.

Kind and size	Per net ton	1/4 ton	1/2 ton	100 lbs.
Pennsylvania anthracite (except Red Ash and Jeddah Highland in sizes specified below):				
Broken, egg, stove and chestnut	\$16.55	\$8.80	\$4.65	\$0.95
Pea	14.30	7.65	4.10	.85
Buckwheat	12.95	7.00	3.75	.80
Rice	10.95	6.00	3.25	.70
Yard screenings—domestic consumers	6.50			
Yard screenings—all other consumers	3.00			
Red Ash:				
Broken and chestnut	17.55	9.30	4.90	1.00
Egg	18.05	9.55	5.00	1.00
Stove	18.45	9.75	5.10	1.05
Jeddah Highland:				
Egg, stove and chestnut	16.80	8.90	4.70	.95
Pea	14.55	7.80	4.15	.85
Buckwheat	13.20	7.10	3.80	.80
Coke:				
Egg, stove and chestnut	15.25	8.15	4.30	.90
Pea	13.05	7.05	3.75	.80
Ambricoal	14.75	7.90	4.20	.90

(2) *Terms of sale.* If payment is made by the buyer within 10 days after receipt of the fuel, the maximum prices set forth above shall, except in the case of sales of yard screenings to other than domestic consumers, be reduced by \$1.00 per ton, or by 50 cents per half-ton, or by 25 cents per quarter-ton, which reductions are "cash discounts". No further discount is required for cash on delivery, and no "cash discount" is required on sales of less than a quarter-ton or on sales of yard screenings to other than domestic consumers. If payment

is not required or made at the time of delivery or (except in the cases of less than quarter-ton lots and sales of yard screenings to other than domestic consumers) within 10 days thereafter, terms shall be net 30 days.

(3) *Maximum authorized service and deposit charges.* (a) No additional charge shall be made for any carrying or wheeling which may be necessary to effect delivery into consumer's bin or storage space, except for carries up or down flights of stairs.

(b) If the buyer requests such services of him, the dealer may make the following charges for any carry up or down flights of stairs:

	1 ton	1/2 ton	1/4 ton
Maximum charge per flight...	50¢	25¢	15¢

If delivery cannot be made into consumer's bin or storage space without a carry up or down one or more flights of stairs, and the buyer does not request such carry service, the prices established hereby shall apply when the fuel is delivered to the available point nearest and most accessible to the flight of stairs which must be used to gain access to the bin or storage space.

(c) If the buyer requests that fuel delivered in burlap bags or canvas carrying bags furnished by the dealer be left in the bags, the maximum amounts which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, the bags shall be as follows:

Per burlap bag	\$0.25
Per canvas carrying bag	1.50

(c) *Price Schedule II; Yard sales to consumers and unequipped dealers.* (1) Price Schedule II sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the Brockton, Massachusetts, area to consumers and to unequipped dealers.

Kind and size	Per net ton	1/4 ton	1/2 ton	100 lbs.
Pennsylvania anthracite (except Red Ash and Jeddah Highland in sizes specified below):				
Broken, egg, stove and chestnut	\$14.55	\$7.80	\$4.15	\$0.85
Pea	12.30	6.65	3.60	.75
Buckwheat	10.95	6.00	3.25	.70
Rice	8.95	5.00	2.75	.60
Yard screenings	4.50			
Red Ash:				
Broken and chestnut	15.55	8.30	4.40	.90
Egg	16.05	8.55	4.50	.90
Stove	16.45	8.75	4.60	.95
Jeddah Highland:				
Egg, stove and chestnut	14.80	7.90	4.20	.85
Pea	12.55	6.80	3.65	.75
Buckwheat	11.20	6.10	3.30	.70
Coke:				
Egg, stove and chestnut	13.25	7.15	3.80	.80
Pea	11.05	6.05	3.25	.70
Ambricoal	12.75	6.90	3.70	.80

(2) *Terms of sale.* Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days E. O. M.

(3) *Maximum authorized bagging and deposit charges.* (a) The maximum prices per 100 pounds are for 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the seller may make the following charges for bagging tons, one-half tons and one-quarter tons:

Per ton	50¢
Per one-half ton	25¢
Per quarter-ton	15¢

(b) The maximum amounts which may be required by the seller as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags or canvas carrying bags furnished by the seller shall be as follows:

Per burlap bag	25¢
Per canvas carrying bag	\$1.50

(d) *Price Schedule III: Yard sales to dealers other than unequipped dealers.*

(1) Price Schedule III sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the Brockton, Massachusetts, area to dealers in fuels who resell them, except sales to unequipped dealers which are governed by Price Schedule II.

Kind and size	Per net ton	1/4 ton	1/2 ton
Pennsylvania anthracite (except Red Ash and Jeddо Highland in sizes specified below):			
Broken, egg, stove and chestnut	\$13.55	\$7.30	\$3.90
Pea	11.30	6.15	3.35
Buckwheat	9.95	5.50	3.00
Rice	7.05	4.50	2.50
Red Ash:			
Broken and chestnut	14.55	7.80	4.15
Egg	15.05	8.05	4.25
Stove	15.45	8.25	4.35
Jeddо Highland:			
Egg, stove and chestnut	13.80	7.40	3.95
Pea	11.55	6.30	3.40
Buckwheat	10.20	5.60	3.05
Coke:			
Egg, stove and chestnut	12.25	6.65	3.55
Pea	10.05	5.55	3.00
Ambricoal	11.75	6.40	3.45

(2) *Terms of sale.* Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days E.O.M.

(3) *Maximum authorized bagging and deposit charges.* (a) The maximum prices per 100 pounds are for 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the seller may make the following charges for bagging tons, one-half tons and one-quarter tons:

	Cents
Per ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amounts which may be required by the seller as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags or canvas carrying bags furnished by the seller shall be as follows:

Per burlap bag	25¢
Per canvas carrying bag	\$1.50

(e) *Transportation tax.* Any dealer subject to this order may collect, in addition to the specified maximum prices established herein, provided he states it

separately, the amount of the transportation tax imposed by Section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier: *Provided, however,* That no part of that tax may be collected in addition to the maximum price on sales of lesser quantities than one-quarter ton.

(f) *Geographical applicability.* The maximum prices established by this order for "yard sales" shall apply to all such sales of the specified solid fuels at a yard located in the Brockton, Massachusetts, area, regardless of the ultimate destination of the fuel. The maximum prices established by this order for sales on a delivered basis shall apply to all such sales of the specified solid fuels to purchasers who receive delivery of the fuel within the Brockton, Massachusetts, area, regardless of whether the dealer is located within said area.

(g) *Definitions.* When used in Order G-16, the term:

(1) "Brockton, Massachusetts, area" shall include the following cities and towns in the Commonwealth of Massachusetts: Avon, Bridgewater, Brockton, East Bridgewater, Easton and West Bridgewater.

(2) "Specified solid fuels" shall include all Pennsylvania anthracite (including Red Ash and Jeddо Highland), ambricoal and coke.

(3) "Pennsylvania anthracite" means coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(4) "Red Ash" is that Pennsylvania anthracite which is mined in the Lykens seam in Schuylkill County in the Commonwealth of Pennsylvania.

(5) "Jeddо Highland" is that Pennsylvania anthracite which is prepared at Jeddо No. 7 breaker and Highland No. 5 breaker of the Jeddо Highland Coal Company, Jeddо, Pennsylvania, and marketed by said company under the trade names "Jeddо Coal," "Highland Coal" or Hazle Brook Coal."

(6) "Broken", "egg", "stove", "chestnut" and "pea" sizes of Pennsylvania anthracite refer to the legal standard sizes for anthracite offered for sale in the Commonwealth of Massachusetts, effective December 1, 1941, as established by the Director of Standards of the Division of Standards of the Department of Labor and Industries of the Commonwealth of Massachusetts pursuant to General Laws (Ter. Ed.) Chapter 94, section 239A (Chapter 382, Acts of 1926). "Buckwheat" and "rice" sizes of Pennsylvania anthracite refer to the sizes of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Emergency Committee, effective December 15, 1941.

(7) "Ambricoal" means anthracite briquettes manufactured by American Briquet Company at its plant at Lykens, Pennsylvania, and marketed under that trade name.

(8) "Dealer" means any person selling solid fuel except producers or distribu-

tors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(9) "Unequipped dealer" means a seller who is engaged in the business of purchasing solid fuel for resale, and delivers the solid fuel resold by him to consumers from his supplier's place of business, without storing the same except in a truck or wagon, and who has no facilities customarily used for storing solid fuel other than a truck or wagon.

(10) "Carry" and "wheel" refer to the movement of fuel to buyer's bin or storage space by wheelbarrow, barrel, bag, sack or otherwise from the dealer's truck or wagon, or from the point of discharge therefrom, to buyer's bin or storage space.

(11) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard.

(12) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(h) *Lower prices permitted.* Lower prices than those set forth herein may be charged, paid or offered.

(i) *Posting of maximum prices: Sales slips and receipts.* (1) Every dealer subject to this Order No. G-16 shall post all of the maximum prices established hereby which apply to the types of sales made by him in his place of business in a manner plainly visible to and understandable by the purchasing public, and shall keep a copy of this Order No. G-16 available for examination by any person during ordinary business hours. In the case of a dealer who sells directly to consumers from a truck or wagon, the posting shall be done on the truck or wagon. The prices established hereby need not be reported under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this Order G-16 shall give to each purchaser an invoice or similar document showing (a) the date of the sale or delivery, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, and the price charged; and (b) separately stating any special services rendered and deposit charges made and the amount charged therefor. This paragraph (b) (2) shall not apply to sales of quantities of less than one-quarter ton unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941, customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(j) *Petitions for amendment.* Any person seeking an amendment of any provision of the order may file a petition for amendment in accordance with

FEDERAL REGISTER, Tuesday, October 26, 1943

the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration. No appeal from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(k) This order may be revoked, amended or corrected at any time.

This Order No. G-16 shall become effective October 28, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of October 1943.

GORDON K. CREIGHTON,
Acting Regional Administrator.

[F. R. Doc. 43-17145; Filed, October 22, 1943;
9:29 a. m.]

[Region I Order G-17 Under Rev. MPR 122]

SOLID FUELS IN TAUNTON, MASS., AREA

Order No. G-17 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Taunton, Massachusetts, area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *Maximum prices established by this order.* The maximum prices established by §§ 1340.252, 1340.254, 1340.256, 1340.257 and 1340.265 of Revised Maximum Price Regulation No. 122 for sales of specified kinds of solid fuels in the Taunton, Massachusetts, area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said specified solid fuels, are hereby modified, so that the maximum prices therefor shall be the prices herein-after set forth. Maximum prices are established for (1) sales of various quantities of the specified solid fuels to various classes of purchasers under various conditions of delivery; and (2) charges which may be made, in addition to such maximum prices for the specified solid fuels, for specified services. The geographical applicability of this Order G-17 is explained in paragraph (f), and the terms used herein are defined in paragraph (g).

Except as otherwise specifically provided herein, the provisions of Revised Maximum Price Regulation No. 122 apply to all transactions which are the subject of this Order G-17. Specifically, but without limiting the generality of the foregoing, the prohibitions contained in § 1340.252 apply except to the extent that this Order G-17 provides uniform allowances, discounts, price differentials, service charges, and so forth.

Nothing contained in this order shall be so construed as to permit noncompliance with any statutes of the Commonwealth of Massachusetts, or any rules or regulations promulgated under any such statutes, concerning sales or deliveries of solid fuels.

(b) *Price Schedule I: Sales on a delivered basis.* (1) Price Schedule I sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels on a "direct delivery" basis at any point in the Taunton, Massachusetts, area.

Price Schedule II sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the Taunton, Massachusetts, area to consumers and to unequipped dealers.

Kind and size	Per net ton	1/2 ton	1/4 ton
Pennsylvania anthracite (except Red Ash and Jeddah Highland in sizes specified below):			
Egg and chestnut	\$16.30	\$8.53	\$4.64
Stove	16.55	8.65	4.70
Pea	14.00	7.38	4.07
Buckwheat	11.95	5.35	3.55
Rice	10.95	5.85	3.30
Red Ash:			
Egg	17.30	9.03	4.80
Stove	17.80	9.28	5.02
Chestnut	17.05	8.90	4.83
Jeddah Highland:			
Egg and chestnut	16.55	8.65	4.70
Stove	16.80	8.75	4.77
Coke:			
Egg, stove and chestnut	15.50	8.13	4.44
Ambrocol	15.30	8.03	4.39

Kind and size	Per net ton	1/2 ton	1/4 ton	100 lbs.
Pennsylvania anthracite (except Red Ash and Jeddah Highland in sizes specified below):				
Egg and chestnut	\$14.55	\$7.30	\$3.65	\$0.85
Stove	14.80	7.40	3.70	.85
Pea	12.25	6.15	3.10	.75
Buckwheat	10.20	5.10	2.55	
Rice	9.20	4.60	2.30	
Red Ash:				
Egg	15.55	7.80	3.90	.95
Stove	16.05	8.05	4.05	.95
Chestnut	15.30	7.65	3.85	.95
Jeddah Highland:				
Egg and chestnut	14.80	7.40	3.70	.85
Stove	15.05	7.55	3.80	.85
Coke:				
Egg, stove and chestnut	13.75	6.90	3.45	
Ambrocol	13.55	6.80	3.40	.80

(2) *Discounts to certain classes of purchasers.* The foregoing per net ton prices for egg, chestnut, stove and pea sizes of Pennsylvania anthracite (including Red Ash and Jeddah Highland) shall be reduced by 50 cents per ton on all sales to consumers other than domestic consumers, including (but without limiting the generality of the foregoing) retail stores, broker houses and industrial establishments.

(3) *Terms of sale.* If payment is made by the buyer within 10 days after receipt of the fuel, the maximum prices set forth above shall be reduced by \$1.00 per ton or by 50 cents per half-ton, or by 25 cents per quarter-ton, which reductions are "cash discounts". No further discount is required for cash on delivery, and no "cash discount" is required on sales of less than a quarter-ton. If payment is not required or made at the time of delivery or (except in the case of less than quarter-ton lots) within 10 days thereafter, terms shall be net 30 days.

(4) *Maximum authorized service and deposit charges.* (a) If the buyer requests such service of him, the dealer may make the following charges for carry or wheel service:

	Per net ton	1/2 ton	1/4 ton
	Cents	Cents	Cents
For any carry or wheeling from a "direct delivery" point to consumer's bin or storage space, exclusive of charges for carries up flights of stairs	50	25	15
For any carry up flights of stairs, per flight	25	15	10

(b) If the buyer requests that fuel delivered in burlap bags or canvas carrying bags furnished by the dealer be left in the bags, the maximum amounts which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, the bags shall be as follows:

Per burlap bag 25¢
Per canvas carrying bag \$1.50

(c) *Price Schedule II: Yard sales to consumers and unequipped dealers.* (1)

(2) *Terms of sale.* Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days E. O. M.

(3) *Maximum authorized bagging and deposit charges.* (a) The maximum prices per 100 pounds are for 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the seller may make the following charges for bagging tons, one-half tons and one-quarter tons:

Cents
Per ton
Per half-ton
Per quarter-ton

(b) The maximum amounts which may be required by the seller as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags or canvas carrying bags furnished by the seller shall be as follows:

Per burlap bag	25¢
Per canvas carrying bag	\$1.50

(d) *Price Schedule III: Yard sales to dealers other than unequipped dealers.* (1) Price Schedule III sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the Taunton, Massachusetts, area to dealers in fuels who resell them, except sales to unequipped dealers which are governed by Price Schedule II.

Kind and size	Per net ton	1/2 ton	1/4 ton
Pennsylvania anthracite (except Red Ash and Jeddah Highland in sizes specified below):			
Egg and chestnut	\$13.80	\$6.90	\$3.45
Stove	14.05	7.05	3.55
Pea	11.50	5.75	2.90
Buckwheat	9.45	4.75	2.40
Rice	8.45	4.25	2.15
Red Ash:			
Egg	14.80	7.40	3.70
Stove	15.30	7.65	3.85
Chestnut	14.55	7.30	3.65
Jeddah Highland:			
Egg and chestnut	14.05	7.05	3.55
Stove	15.05	7.55	3.80
Coke:			
Egg, stove and chestnut	13.00	6.50	3.25
Ambrocol	12.80	6.40	3.20

(2) *Terms of sale.* Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days E.O. M.

(3) *Maximum authorized bagging and deposit charges.* (a) The maximum prices per 100 pounds are for 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the seller may make the following charges for bagging tons, one-half tons and one-quarter tons:

	Cents
Per ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amounts which may be required by the seller as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags or canvas carrying bags furnished by the seller shall be as follows:

Per burlap bag	25¢
Per canvass carrying bag	\$1.50

(e) *Transportation tax.* Any dealer subject to this order may collect, in addition to the specified maximum prices established herein, provided he states it separately, the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier: *Provided, however,* That no part of that tax may be collected in addition to the maximum price on sales of lesser quantities than one-quarter ton.

(f) *Geographical applicability.* The maximum prices established by this order for "yard sales" shall apply to all such sales of the specified solid fuels at a yard located in the Taunton, Massachusetts, area, regardless of the ultimate destination of the fuel. The maximum prices established by this order for sales on a delivered basis shall apply to all such sales of the specified solid fuels to purchasers who receive delivery of the fuel within the Taunton, Massachusetts, area, regardless of whether the dealer is located within said area.

(g) *Definitions.* When used in Order G-17, the term:

(1) "Taunton, Massachusetts, area" shall include the following cities and towns in the Commonwealth of Massachusetts: Berkely, Dighton, Raynham and Taunton.

(2) "Specified solid fuels" shall include all Pennsylvania anthracite (including Red Ash and Jeddo Highland), ambricoal and coke.

(3) "Pennsylvania anthracite" means coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(4) "Jeddo Highland" means that Pennsylvania anthracite which is prepared at Jeddo #7 breaker and Highland #5 breaker of the Jeddo Highland Coal Company, Jeddo, Pennsylvania and marketed by said company under the trade names "Jeddo Coal", "Highland Coal" or "Hazel Brook Coal."

(5) "Red Ash" is that Pennsylvania anthracite which is mined in the Lykens seam in Schuylkill County in the Commonwealth of Pennsylvania.

(6) "Broken", "egg", "stove", "chestnut" and "pea" sizes of Pennsylvania anthracite refer to the legal standard sizes for anthracite offered for sale in the Commonwealth of Massachusetts, effective December 1, 1941, as established by the Director of Standards of the Division of Standards of the Department of Labor and Industries of the Commonwealth of Massachusetts pursuant to General Laws (Ter. Ed.) Chapter 94, section 239A (Chapter 382, Acts of 1926). "Buckwheat" and "Rice" sizes of Pennsylvania anthracite refer to the sizes of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Emergency Committee, effective December 15, 1941.

(7) "Ambricoal" means anthracite briquettes manufactured by American Briquet Company at its plant at Lykens, Pennsylvania, and marketed under that trade name.

(8) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(9) "Unequipped dealer" means a seller who is engaged in the business of purchasing solid fuel for resale, and delivers the solid fuel resold by him to consumers from his supplier's place of business, without storing the same except in a truck or wagon, and who has no facilities customarily used for storing solid fuel other than a truck or wagon.

(10) "Direct delivery" means dumping or chuting the fuel from the seller's truck or wagon directly into the buyer's bin or storage space; but, if that is physically impossible, the term means discharging the fuel directly from the seller's truck at the point where this can be done which is nearest and most accessible to the buyer's bin or storage space.

(11) "Carry" and "wheel" refer to the movement of fuel to buyer's bin or storage space by wheelbarrow, barrel, bag, sack or otherwise from the dealer's truck or wagon, or from the point of discharge therefrom, to buyer's bin or storage space.

(12) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard.

(13) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(h) *Lower prices permitted.* Lower prices than those set forth herein may be charged, paid or offered.

(i) *Posting of maximum prices: Sales slips and receipts.* (1) Every dealer subject to this Order No. G-17 shall post all of the maximum prices established hereby which apply to the types of sales made by him in his place of business in

a manner plainly visible to and understandable by the purchasing public, and shall keep a copy of this Order No. G-17 available for examination by any person during ordinary business hours. In the case of a dealer who sells directly to consumers from a truck or wagon, the posting shall be done on the truck or wagon. The prices established hereby need not be reported under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this Order G-17 shall give to each purchaser an invoice or similar document showing (a) the date of the sale or delivery, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, and the price charged; and (b) separately stating any special services rendered and deposit charges made and the amount charged therefor. This paragraph (b) (2) shall not apply to sales of quantities of less than one-quarter ton unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941, customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(j) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration. No appeal from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(k) This order may be revoked, amended or corrected at any time.

This Order No. G-17 shall become effective October 28, 1943.

Note: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of October 1943.

GORDON K. CREIGHTON,
Acting Regional Administrator.

[F. R. Doc. 43-17146; Filed, October 22, 1943;
9:29 a. m.]

[Wichita Order G-2 Under MPR 426]

LETTUCE IN STATE OF KANSAS

Order No. G-2 under section 2 (b) of Maximum Price Regulation No. 426. Fresh fruits and vegetables for table use, sales except at retail.

Order adjusting maximum prices of lettuce within the State of Kansas, except the counties of Wyandotte, Johnson and Leavenworth.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the District Director of the Wichita, Kansas, District Office of the Office of Price Administration by section 2 (b) of Maximum Price Regulation No. 426 and Region V Delegation Order No. 27 of the Dallas, Texas, Regional Office of the Of-

fice of Price Administration, it is hereby ordered:

SECTION 1. What this order does. Certain maximum prices established for less than carlot and less than trucklot sales of lettuce by section 15, Appendix A of Maximum Price Regulation No. 426 are hereby modified and amended as follows:

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Basing point	Maximum prices for trucklot sales at any wholesale receiving point	Maximum prices for less than carlot or less than trucklot sales to any person except ultimate consumer
1	Iceberg lettuce in L. A. or Salinas crates containing not less than 48 heads with a minimum net weight of 60 pounds.	L. A. crate or Salinas crate.	All year	Salinas, Calif.	\$3.25 (basing point price) plus freight from basing point to wholesale receiving point.	Maximum price for carlot or trucklot sales (Col. 6) plus 90 cents.
2	All lettuce in any container except iceberg lettuce in L. A. or Salinas crates, and except hothouse lettuce. If any lettuce is sold with a net weight of less than 60 pounds in any container or less than 48 heads in an L. A. or Salinas crate, such lettuce shall be priced under the provisions of this item 2.	-----	All year	-----	Maximum price above (Item 1, Col. 6) divided by 60.	Maximum prices for carlot or trucklot sales (Col. 6) plus 1½ cents per pound.
3	Hothouse lettuce in any container.	Per lb.	All year	-----	Maximum price per pound above (Item 2, Col. 6) plus 8 cents.	Maximum prices for carlot or trucklot sales (Col. 6) plus 1½ cents per pound.

SEC. 2. (a) Delivery charges. In the event it has been the customary practice of a service wholesaler to make a charge for deliveries outside his customary free delivery area, such wholesaler may add to the maximum price hereinbefore specified in Column 7, section 1, a delivery charge, which charge shall not exceed the lowest common or contract carrier rate or other available transportation charge established by the wholesaler, whichever is the lower.

(b) Invoices. In the event a service wholesaler makes a charge for delivery outside his usual free delivery area on sales made by him, such delivery charge shall be shown, as a separate item on the invoice, at the time of the sale.

SEC. 3. Definitions. (1) A "service wholesaler" is a wholesaler who customarily distributes food products for resale to retail stores or to commercial, industrial or institutional users, without materially changing their form, and who customarily delivers or delivers and extends credit in the purchase of such commodities.

(2) The "lowest common or contract carrier rate" means the lowest published charges for the transportation of such commodities as filed with the appropriate regulatory bodies in the State of Kansas or the Interstate Commerce Commission of the United States, where such rates are in existence.

SEC. 4. Applicability of other regulations. Except as the same are inconsistent with or contradictory to the terms and provisions of this order, all the terms and provisions of Maximum Price Regulation No. 426, as amended to date, shall

remain in full force and effect and be applicable to and continue to govern the sales of the commodities named therein.

SEC. 5. Revocation. Order No. G-1, under Maximum Price Regulation No. 426, issued by the District Director of the Wichita, Kansas, District Office on the sixth day of September, 1943, is hereby revoked in its entirety and superseded by this order. This order is subject to revocation or amendment by the District Director of the Wichita, Kansas, District Office at any time hereafter, either by separate order, by amendment thereto or by any price regulation issued by the Office of Price Administration hereafter, the provisions of which may be contradictory thereto.

SEC. 6. Coverage. This order, on and after its effective date, is applicable to sales of lettuce by intermediate sellers as defined in section 8 (a) (6) of Maximum Price Regulation No. 426, within the State of Kansas, except the counties of Wyandotte, Leavenworth and Johnson.

SEC. 7. Effective date. This order shall become effective on the sixteenth day of October 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681; Gen. Order 51, 8 F.R. 6008)

Issued at Wichita, Kansas, this fourteenth day of October 1943.

H. O. DAVIS,
District Director.

[F. R. Doc. 43-17150; Filed, October 22, 1943; 9:30 a. m.]

[Region VI Order G-2 Under SR 15 and MPR 329]

FLUID MILK IN HOLDREGE, NEBR.

Order No. G-2 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and under § 1351.408 (a) of Maximum Price Regulation No. 329. Purchases from producers for resale as fluid milk, Adjustment of fluid milk prices for Holdrege, Nebraska.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and by § 1351.408 (a) of Maximum Price Regulation No. 329, it is ordered:

(a) Maximum producer prices. The maximum price for milk sold for human consumption in fluid form which may be paid to producers by distributors selling milk in Holdrege, Nebraska shall be \$3.05 per cwt. for 4 per cent milk, plus no more than 5¢ for each $\frac{1}{10}$ of a pound of butterfat above 4 per cent and minus no less than 5¢ for each $\frac{1}{10}$ of a pound of butterfat below 4 per cent.

(b) Maximum distributor price. The maximum price for sale and delivery of fluid milk in bottles and paper containers at wholesale and retail in the Holdrege, Nebraska area shall be:

Regular milk	Wholesale	Retail
	Cents	Cents
Gallon	37	45
$\frac{1}{2}$ gallon	19	23
Quart	10	12
$\frac{1}{2}$ pint	3½	5

(c) Definitions. For the purposes of this order:

1. Sales and deliveries within the Holdrege, Nebraska, area shall mean:

i. All sales made within the city limits of Holdrege, Nebraska, and all sales at or from an establishment located in Holdrege, Nebraska; and

ii. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Holdrege, Nebraska.

2. Milk shall mean cows' milk having a butterfat content of not less than 3.2 per cent or the legal minimum established by statute or municipal ordinance, bottled, distributed and sold for consumption in fluid form as whole milk.

3. Sales at wholesale shall for the purposes of this order include all sales to retail stores, restaurants, army camps, prisons, schools, hospitals and other institutions.

(e) Except as otherwise herein provided, the provisions of the General Maximum Price Regulation shall apply.

(f) This order may be revoked, amended or corrected at any time.

This order shall become effective October 18, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 14th day of October 1943.

RAYMOND S. McKEOUGH,
Regional Administrator.

[F. R. Doc. 43-17148; Filed, October 22, 1943;
9:32 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under General Order 51 were filed with the Division of the Federal Register on October 21, 1943.

REGION I

Concord, Order No. 7, filed 12:26 p. m.

REGION II

District of Columbia, Order No. 6, Correction, filed 12:25 p. m.

District of Columbia, Order No. 6, Amendment No. 1, filed 12:25 p. m.

District of Columbia, Order No. 6, Amendment No. 2, filed 12:25 p. m.

Maryland Order No. 9, Amendment No. 2, filed 12:28 p. m.

REGION IV

Atlanta, Order No. 10, Amendment No. 2, filed 12:28 p. m.

REGION VI

Chicago, Order No. 5, Amendment No. 2, filed 12:27 p. m.

REGION VIII

Los Angeles, Santa Barbara 1, Amendment No. 7, filed 12:27 p. m.

Los Angeles, San Bernardino 1, Amendment No. 9, filed 12:26 p. m.

Los Angeles, Order No. L. A.-4, Amendment No. 10, filed 12:27 p. m.

Los Angeles, Order No. L. A.-4, Amendment No. 11, filed 12:27 p. m.

Spokane, Order No. 12, filed 12:26 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Head, Editorial and Reference Section.

[F. R. Doc. 43-17194; Filed, October 22, 1943;
4:33 p. m.]

[Region V Order G-2 Under 18 (c)]

FIREWOOD IN HOUSTON DISTRICT, TEX.

Order No. G-2 under section 18, paragraph (c), of the General Maximum Price Regulation. Maximum prices for firewood in the counties composing the Houston, Texas, District of the Office of Price Administration are established to be as follows:

son, Liberty, Montgomery, Orange, Polk, Sabine, San Augustine, San Jacinto, Shelby, Trinity, Tyler, Walker, and Waller.

(1)

Hardwood 24 inches or under	\$10.25
Hardwood over 24 inches	8.75
Softwood 24 inches or under	9.80
Softwood over 24 inches	8.30

(2) Wholesale prices per cord for sales in the following counties: Angelina, Austin, Brazoria, Brazos, Burleson, Chambers, Colorado, Fayette, Fort Bend, Grimes, Hardin, Houston, Jackson, Jasper, Lavaca (excluding the city of Yoakum), Lee, Leon, Madison, Matagorda, Milam, Nacogdoches, Newton, Robertson, Washington, and Wharton.

(1)

Hardwood 24 inches or under	\$7.00
Hardwood over 24 inches	6.50
Softwood 24 inches or under	6.00
Softwood over 24 inches	5.50

(3) "Wholesale sale" is any sale other than a retail sale and other than a sale to the Army or Navy, to the State of Texas or any of its political subdivisions, or by a trucker, whether such sale is made by a seller customarily known as a wholesaler or by a seller of any other designation.

(4) Wholesale terms of sale. (a) The wholesaler shall bear all costs of production and of delivery to and loading on the conveyance in which the firewood is to be moved to the retailer's city.

(b) The purchaser from a wholesaler shall bear all costs incident to the movement of the wood in such conveyance after the wood is loaded by the wholesaler. If the wholesaler pays any portion of the transportation cost after the wood is loaded on to the conveyance as set out above, the purchaser shall pay the wholesaler in addition to the wholesale price set out hereinbefore a compensation for such transportation expenses. Such compensation shall consist of a mileage charge identical with the carload rail rate or a reasonable approximation thereof for shipping the wood the particular distance involved.

(b) Maximum retail prices which may be charged or received for firewood in the various counties composing the Houston, Texas, District of the Office of Price Administration are established to be as follows:

(1) Retail prices per cord for sales in Harris, Jefferson, and Orange Counties.

Hardwood 24 inches or under	\$15.25
Hardwood over 24 inches	13.50
Softwood 24 inches or under	14.75
Softwood over 24 inches	13.00

(2) Retail prices per cord for sales in Galveston County.

Hardwood 24 inches or under	\$15.75
Hardwood over 24 inches	14.00
Softwood 24 inches or under	15.25
Softwood over 24 inches	13.50

(3) Retail prices per cord for sales in the following counties: Angelina, Austin, Brazoria, Brazos, Burleson, Chambers, Colorado, Fayette, Fort Bend, Grimes, Hardin, Houston, Jackson, Jasper, Lavaca (excluding the city of Yoakum), Lee, Leon, Liberty, Madison, Matagorda,

Milam, Montgomery, Nacogdoches, Newton, Polk, Robertson, Sabine, San Augustine, San Jacinto, Shelby, Trinity, Tyler, Walker, Waller, Washington, and Wharton.

(a) The maximum price for firewood sold at retail in the above counties shall be the highest price charged by the seller during the period between November 1, 1941, and March 31, 1942, plus the sum of \$2.00 per cord: *Provided, however, That in no instance shall any seller's price in the above counties exceed \$10.50 per cord, delivered.*

(4) Retail prices for less than a cord of firewood in the counties composing the Houston, Texas, District of the Office of Price Administration. (a) The maximum price of one-half a cord shall be one-half the price of a cord, plus 25¢.

(b) The maximum price of one-third a cord shall be one-third the price of a cord, plus 50¢.

(c) A bundle of wood shall consist of one-twelfth of a cord, and the maximum price shall be one-tenth the price of a cord.

(5) "Retail sale" is any sale to an ultimate consumer other than an industrial or commercial user, the Army and Navy, the State of Texas or any of its political subdivisions, or sales by truckers.

(a) Prices for retail sales, as established in this order, involving one or more cords, or a fraction of a cord of firewood, include delivery to any point within the city limits of the town or city in which, or nearest which, the retailer's yard is located; if the purchaser accepts delivery at the retailer's premises or designates such premises as the place of delivery the maximum retail prices established by this order shall be reduced by the actual amount paid by the purchaser for having such wood transported to his (the purchaser's) premises.

(b) Retail prices established in this order do not include the service of stacking. When such service is supplied by the retailer he may demand and receive as extra compensation for this service an amount not exceeding 50¢ per cord and 25¢ per half cord; in sales involving quantities of less than one-half cord no extra charge for stacking shall be made even if this service is supplied by the retailer.

(c) Retailers located within the city limits of Houston, Texas, may charge and receive extra compensation for deliveries made outside the city limits. These delivery charges shall be 50¢, \$2.00, \$3.00 and \$4.00 for distances of not more than 10 miles, 15 miles, 20 miles, and 25 miles, respectively, from the courthouse. Retailers in all other cities covered by this order must retain their March, 1942, practices as regards deliveries beyond the limits of the city or town in which, or nearest which, they are located.

(c) Truckers' price per cord in the counties composing the Houston, Texas, District of the Office of Price Administration. (1) In Galveston, Harris, Jefferson and Orange Counties, the sum of the geographically applicable retail per cord price less \$2.00. In all other counties the geographically applicable retail per cord price.

(2) Truckers' price for one-half cord shall be one-half the truckers' geographically applicable cord price plus 25¢.

(3) Truckers' price for one-third cord shall be one-third the truckers' geographically applicable cord price plus 50¢.

(4) Truckers' undle price shall be one-tenth the truckers' geographically applicable cord price.

(5) *Trucker* is any seller who sells directly from a truck or other conveyance without first receiving and unloading the wood at a place of business established for the purposes of carrying on the business of selling firewood. If a seller makes a sale directly from a truck or other conveyance without first unloading it at his place of business, that seller, for the purposes of this order, shall be regarded as a trucker on such sales.

(d) *Prices per cord on sales to the Army and Navy in the counties composing the Houston, Texas, District of the Office of Price Administration.* (1) The sum of the local wholesale price plus \$1.50 f. o. b. first rail terminal, or if shipped by truck, f. o. b. last loading point before delivery to the Army or Navy. If the Army or Navy purchases firewood for immediate delivery from the local yard, the maximum price shall be the retail price covering sales in that particular locality to retail purchasers.

(e) *Prices per cord on sales to the State of Texas or any of its political subdivisions, including but not limited to cities, towns, counties, school and road districts, in the counties composing the Houston, Texas, District of the Office of Price Administration.* (1) The applicable wholesale price plus \$1.00 per cord, except that in purchases from local retail yards, for immediate delivery to the purchaser from such yards, the applicable retail maximum prices shall prevail.

(f) *Service charge for cutting.* (1) In any instance where the seller sells wood over 24 inches in length and cuts it on order for the purchaser, the charge for this cutting shall be no more than the difference between the maximum retail prices for wood "24 inches or under" and wood "over 24 inches." If there is no difference in the seller's maximum prices for the different lengths of wood, he may make a flat charge of \$1.00 per cord for the cutting. No service charge for cutting shall be increased in relation to the number of times such wood is cut by the seller. The one service charge should apply for any and all cutting done for the customer.

(g) *Licensing, posting and sales receipts—(1) Licensing.* (a) A license to make sales of firewood is automatically granted to all persons who now or hereafter make such sales. But the grant of this license to any person whose license heretofore granted by the Office of Price Administration is under suspension shall become effective for sales to which the suspension applies only at the end of the period of suspension.

(b) A license granted hereby may be suspended in accordance with the provisions of the Emergency Price Control Act of 1942, as amended, for violations of

the license or of one or more applicable maximum price regulations. The provisions of the General Maximum Price Regulation and all other such regulations are made a part of each license granted hereby, and a violation of any such provision is a violation of the license. A person whose license has been suspended may not during the period of suspension make any sale for which his license has been suspended.

(c) Every license heretofore granted by the Office of Price Administration and in effect when this order becomes effective, is merged and continued in the license granted by this order. The former license no longer continues as a separate license. If the former license is suspended by a pending license suspension proceeding, the license granted by this order is suspended to the same extent. Proceedings to suspend a license granted hereby may be begun and maintained without a further warning notice to any person to whom a warning notice under a previous license was sent.

(d) No license is required of, or granted to, a farmer as a condition of selling an agricultural commodity produced by him, the United States, or any agency thereof, or any other government, its political subdivisions or agencies.

(2) *Posting.* (a) Every retail seller of wood or trucker covered by this order shall post the maximum unit prices provided herein, covering all types and kinds of sales, in a place and manner prominent and conspicuous, with sufficient information to inform buyers of the maximum prices applying to his sales of firewood, giving the length, types of wood and prices of each.

(3) *Sales slips and receipts.* (a) Any seller of firewood covered by this order who has customarily given a purchaser a sales slip, receipt or other similar evidence of purchase shall continue to do so. Upon request from a purchaser any seller, regardless of previous custom, shall give the purchaser a receipt showing the date of sale, the name and address of the seller, whether the wood is hardwood or softwood, the length of the wood, the unit of sale and the price per unit.

(b) Sellers at wholesale and sellers of wood to the Army, Navy, State of Texas or any of its political subdivisions shall furnish the purchaser with a sales slip or receipt showing the date of sale, the seller's name and address, the name of the county in which the wood was felled, whether the wood is hardwood or softwood, the length of wood, unit of sale, and the price per unit.

(h) *Definitions.* (1) "Sale of Firewood" shall be the sale of any wood of the size and quality set forth in this order, provided such wood is sold for use as a fuel for heating or cooking, or to dealers who will resell such wood for such purposes.

(2) "Cord" is a quantity of wood which would occupy 128 cubic feet if cut in four foot lengths and stacked straight in a pile measuring 4 feet wide, 4 feet high and 8 feet long.

(a) Any loss in volume resulting from cutting four foot wood into shorter

lengths shall be borne by the purchaser and not by the seller cutting the wood.

(3) "Hardwood" is wood cut from any of the following deciduous trees: Ash, beech, butternut, cedar, dogwood, elm, gum, hackberry, hard maple, hickory, locust, oak, osage orange, pecan, sycamore, and walnut.

(a) All other woods for the purposes of this order are to be considered "softwoods."

(i) This order is subject to revocation or amendment by the Price Administrator at any time hereafter, either by special order or by any price regulation issued hereafter, or by any amendment or supplement hereafter issued as to any price regulation, the provisions of which may be contrary hereto.

(j) Except as specifically provided in this order the provisions of the General Maximum Price Regulation, as amended, are in no way affected and shall continue in full force and effect.

This order shall become effective on the 22nd day of October 1943.

(Pub Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 18th day of October 1943.

MAX McCULLOUGH,
Regional Administrator.

[F. R. Doc. 43-17269; Filed, October 25, 1943;
11:37 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-792]

CONSOLIDATED ELECTRIC AND GAS CO. ET AL. ORDER PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 22nd day of October, 1943.

In the matter of Consolidated Electric and Gas Company, The Durham Gas Company, Jersey Shore Gas Company, File No. 70-792.

Consolidated Electric and Gas Company, a registered holding company, and its subsidiary, The Durham Gas Company, having filed in connection with the proposed sale of all of the assets of The Durham Gas Company a declaration pursuant to the Public Utility Holding Company Act of 1935, particularly sections 10, 12 (b), 12 (c) and 12 (d) thereof, regarding the acquisition and retirement of all of the First Mortgage 6% Gold Bonds, due December 1, 1942, of The Durham Gas Company outstanding in the principal amount of \$800,000 (all of which are owned by Consolidated Electric and Gas Company and pledged by it to secure Southern Cities Utilities Company 30-Year First Lien and Collateral Trust 5% Gold Bonds, due April 1, 1958, assumed by Consolidated Electric and Gas Company), the creation of open account indebtedness in lieu thereof, and the deposit of the proceeds of the said sale of the assets of The Durham Gas Company with the Trustee under the

indenture of Southern Cities Utilities Company bonds concurrently with the release of said Durham Gas Company First Mortgage bonds;

Consolidated Electric and Gas Company and its subsidiary, Jersey Shore Gas Company, having filed in connection with the proposed sale of all of the assets of Jersey Shore Gas Company a similar declaration regarding the acquisition and retirement of all of the First Mortgage 5 1/2% Gold Bonds, due July 1, 1987 of Jersey Shore Gas Company, outstanding in the principal amount of \$59,000 (all of which are owned by Consolidated Electric and Gas Company and pledged by it to secure its Collateral Trust Bonds), the creation of open account indebtedness in lieu thereof, and the deposit of the proceeds of the sale of the assets of Jersey Shore Gas Company with the Trustee of the said Collateral Trust Bonds concurrently with the release of the First Mortgage Bonds of Jersey Shore Gas Company;

Said declarations having been filed on September 24, 1943, and notice of filing having been given in the form and manner prescribed in Rule U-23 under said Act and the Commission not having received a request for a hearing with respect to said declarations within the time specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of sections 10, 12 (b), 12 (c) and 12 (d) and Rules U-42, U-43 and U-45 promulgated thereunder are satisfied and that no adverse findings are necessary thereunder, and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit the said declarations to become effective;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act, and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declarations be, and the same hereby are, permitted to become effective forthwith.

By the Commission.

[SEAL]

ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 43-17238; Filed, October 23, 1943;
2:47 p. m.]

[File No. 70-804]

BLACKSTONE VALLEY GAS AND ELECTRIC CO.
AND EASTERN UTILITIES ASSOCIATES

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 22d day of October 1943.

Notice is hereby given that a joint application and declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Eastern Utilities Associates, a registered holding company, and its subsidiary company, Blackstone Valley Gas and Electric Company ("Blackstone"). All interested persons are referred to said declaration and application, which is on file at the offices of the Commission,

for a statement of the transactions therein proposed, which may be summarized as follows:

Blackstone proposes to publicly invite bids in accordance with Rule U-50 for the purchase of the following securities which it proposes to issue and sell: \$11,300,000 principal amount of First First Mortgage and Collateral Trust Bonds, 3% Series, due 1973, said bonds to be sold with accrued interest from November 1, 1943 to the date of purchase. Said bonds are to be issued under an Indenture of Mortgage and Deed of Trust to State Street Trust Company and Dana M. Dutch, as Trustees, and are proposed to be secured by the mortgaging and pledging of all assets of Blackstone with certain specified exceptions but including its investment in the securities of Montaup Electric Company, a subsidiary company of Blackstone and of Eastern Utilities Associates.

The bonds proposed to be issued and sold will have been expressly authorized by the Public Utility Administrator of the Department of Business Regulation of the State of Rhode Island.

The proceeds from the sale of said bonds are to be used by Blackstone as follows: (a) to redeem the presently outstanding \$7,300,000 principal amount of Series C 4% Bonds due November 1, 1965 at 106% of the principal amount thereof together with interest thereon to the date of redemption; (b) to redeem the presently outstanding \$4,000,000 principal amount of Series D 3 1/2% Bonds due 1968 at 107% of the principal amount thereof together with interest thereon to the date of redemption; (c) to pay the expenses of such financing; and (d) for general corporate purposes. In the event that the proceeds of the sale of the bonds to be issued and sold are insufficient to redeem all of the presently outstanding bonds and to pay said expenses, the deficiency will be paid from the general funds of Blackstone.

To comply with a charter limitation on the amount of debt which Blackstone may have outstanding at any time, actual issuance of the proposed new bonds will be deferred until the redemption date of the bonds proposed to be redeemed and the deposit of funds in trust for the payment thereof. Blackstone proposes therefore to initially issue Interim Certificates entitling the holders thereof to receive the proposed new bonds on December 31, 1943, or, if for any reason said proposed new bonds can not be delivered on said date, to receive from State Street Trust Company, as Interim Trustee, an amount equal to the public offering price plus interest at the rate of 3% per annum on the principal amount of the bonds represented by the Interim Certificates. As security for the Interim Certificates the purchaser of the proposed new bonds will deposit with the Interim Trustee the purchase price of said bonds (inclusive of accrued interest to the date of purchase) and Blackstone will deposit with said Interim Trustee an amount which together with the aforesaid deposit of the purchase price will result in the total deposit with the Interim Trustee of cash equal in amount to the public offering price plus interest at the rate of

3% per annum on the aggregate principal amount of the proposed new bonds from November 1, 1943 to the closing date of the purchase agreement. Blackstone further agrees that in the event it is unable to deliver the proposed new bonds to the Interim Trustee on or before December 31, 1943 it will deliver to the said Trustee on or before January 3, 1944 an additional amount in cash equal to interest at the rate of 3% per annum from the closing date of the purchase agreement to January 4, 1944 on the principal amount of the bonds represented by the Interim Certificates then outstanding.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matter and that said application and declaration shall not be granted except pursuant to further order of this Commission;

It is ordered, That a hearing on said matter under the applicable provisions of said Act and rules of the Commission thereunder be held on November 5, 1943 at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which the hearing will be held. Notice is hereby given of said hearing to the above-named applicants and declarants and to all interested persons, said notice to be given to said applicants and declarants by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of the issues presented by said application and declaration, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed issuance and sale of bonds is solely for the purpose of financing the business of Blackstone.

(2) Generally, whether in any respect, the proposed transactions are detrimental to the public interest or to the interest of investors or consumers or will tend to circumvent any provisions of the Act or the rules and regulations promulgated thereunder.

(3) Whether, if the proposed transactions are approved by the Commission, it is necessary and appropriate to impose terms and conditions in the public interest or for the protection of investors and consumers, and, if so, what terms and conditions should be imposed.

By the Commission.

[SEAL]

ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 43-17243; Filed, October 25, 1943;
9:49 a. m.]

[File Nos. 70-803, 54-55, 59-51]

SOUTHERN COLORADO POWER COMPANY

NOTICE OF FILING AND ORDER FOR HEARING
AND DIRECTING CONSOLIDATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 23d day of October 1943.

The Commission having entered its findings and opinion, dated August 23, 1943 (Holding Company Act Release No. 4501), in proceedings under sections 11 (e), 11 (b) (2), 15 (f) and 20 (a) of the Public Utility Holding Company Act of 1935 (File Nos. 54-55 and 59-51) in the matter of Southern Colorado Power Company, a public utility subsidiary of Standard Gas and Electric Company, a registered holding company; and the Commission having found, in said findings and opinion, that it could not approve a Plan of Recapitalization, as amended, filed by Southern Colorado Power Company, unless and until (among other things) said company effected a refunding, in accordance with certain terms, conditions and restrictions set forth in said findings and opinion, of its outstanding First Mortgage Gold Bonds, Series A, 6%, due July 1, 1947, in the principal amount of \$6,763,400;

Notice is hereby given that Southern Colorado Power Company has filed a declaration with this Commission (File No. 70-803) pursuant to said findings and opinion and the applicable sections of the Act and the rules promulgated thereunder.

All interested persons are referred to said declaration, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Southern Colorado Power Company proposes to refund and redeem the \$6,763,400 principal amount of its First Mortgage Gold Bonds, Series A, 6%, due July 1, 1947, at the redemption price of 102% of the principal amount thereof (\$6,898,668) plus accrued interest to the redemption date by the issuance, at not less than face amount, of \$5,500,000 principal amount of its First Mortgage Gold Bonds, Series due November 1, 1968, and of \$1,200,000 principal amount of its Serial Notes and the use of treasury funds. The bonds to be issued will be offered for sale by means of competitive bidding pursuant to Rule U-50. The notes will be issued and sold to commercial banks, insurance companies or similar institutions at private sale and not for resale to the public. Information as to the names of the proposed purchasers, the interest rates and redemption prices of the notes will be supplied by amendment.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that said declaration shall not be permitted to

become effective except pursuant to further order of this Commission; and

It further appearing to the Commission that the proceedings in respect to the plan (File Nos. 54-55 and 59-51) and the proceedings in respect to the declaration (File No. 70-803) involve common questions of law and fact and should be consolidated:

It is ordered. That such proceedings be and the same hereby are consolidated reserving the right, however, at any time hereafter to sever said proceedings for hearing or determination.

It is further ordered. That a hearing in respect to such consolidated proceedings under the applicable provisions of said Act and the rules promulgated thereunder be held on November 4, 1943, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, in such room as the hearing room clerk in room 318 may designate.

It is further ordered. That any person desiring to be heard in connection with these proceedings, or proposing to intervene herein, shall file with the Secretary of the Commission on or before November 3, 1943, his request or application therefor, as provided by Rule XVII of the Rules of Practice of the Commission.

It is further ordered. That Willis E. Monty, or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered. That, without limiting the scope of the issues presented by said declaration, particular attention will be directed at said hearing to the following matters and questions:

1. Whether the proposed issuance and sale by Southern Colorado Power Company of the \$5,500,000 principal amount of its First Mortgage Gold Bonds, Series due November 1, 1968, and of \$1,200,000 principal amount of its Serial Notes is in conformity with the applicable requirements and standards of section 7 of the Act, the applicable rules and regulations promulgated thereunder and the Commission's findings and opinion dated August 23, 1943;

2. Whether it is necessary or appropriate in the public interest or for the protection of investors or consumers to impose any terms or conditions in order to ensure compliance with the requirements of the Act and of any rules or regulations promulgated thereunder.

It is further ordered. That the Secretary of this Commission shall serve notice of the aforesaid hearing by mailing a copy of this order to Southern Colorado Power Company and Standard Gas and Electric Company by registered mail; that notice of said hearing be

given to all other persons by publication of this order in the FEDERAL REGISTER. By the Commission.

[SEAL]

ORVAL L. DUBoIS,
Secretary.[F. R. Doc. 43-17244; Filed, October 25, 1943;
9:49 a. m.]

WAR PRODUCTION BOARD.

FACILITIES TO MANUFACTURE AIRCRAFT
LANDING GEAR STRUTSAMENDMENT OF ORDER REVOKING PREFERENCE
RATINGS

Builder: Cleveland Pneumatic Aerol, Inc., 20001 Euclid Avenue, Cleveland, Ohio.

Project: Facilities to manufacture aircraft landing gear struts identified as Plancor 1053. Sponsored by the Navy Dept., Bureau of Aeronautics.

Pursuant to the provisions of paragraph number 3 of the War Production Board order issued June 10, 1943 revoking preference ratings issued to the above builder, a determination has been made that certain machine tools are necessary for the purpose set forth in said paragraph number 3.

It is therefore ordered, that the said War Production Board order issued June 10, 1943 revoking certain preference ratings issued to the above builder be and it hereby is amended as follows:

The revocation of ratings provided in paragraph 1, and the prohibition of construction and installation provided in paragraph 3, of said order are hereby revoked with respect to the machine tool set forth on the list marked Exhibit A attached hereto and made a part hereof, as though said order issued June 10, 1943 had specifically excepted said machine tool from the effect of the order;

The builder is hereby authorized to apply, and his suppliers to extend, to delivery of the machine tool set forth in said list attached hereto and marked Exhibit A, and to construction materials incidental to installation of said machine tool, the ratings previously assigned to such machine tool and construction materials; and the builder is hereby authorized to install the said machine tool in the above project and to perform such construction as may be incidental to such installation, provided that such incidental construction shall not be in violation of the provisions of Conservation Order L-41 or the provisions of Preference Rating Order P-19-h, Builder's Serial Number 26247.

Issued this 23d day of October 1943.

WAR PRODUCTION BOARD,
J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A

OCTOBER 19, 1943

One 16 x 72 External Grinder—Order AD-261.

[F. R. Doc. 43-17241; Filed, October 23, 1943;
4:07 p. m.]